

From: Catherine Brown <browncathy@comcast.net>

Sent: Thursday, July 13, 2023 9:16 AM

To: Planning and Zoning <PlanningandZoning@FrederickCountyMD.gov>

Subject: Comments for Quantum Loophole's application for a special exception

[EXTERNAL EMAIL]

I am deeply concerned about the request from Quantum Loophole (QL) and the company's track record on compliance. My home is directly in the view of the construction along Mountville Rd.

QL has consistently shown, by their actions, a willingness to deploy as they see fit for the benefit of their stock holders and pay fines versus abide by the laws and regulations established in the public interest. The fines are a planned cost of doing business their way. If the fines are actually assessed and even if they are eventually paid, they save QL years and many multiples of investment dollars. That is their business plan as clearly shown by their past actions.

Of note: They have proven they are not a good steward of the land and environmental supporter as they said they would be. They have not complied with the (ridiculous) self reporting requirements established under the environmental covenants on the Alcoa property. They have violated property rights of other land owners. And ... many other violations you are aware of.

I oppose granting a special exception to QL.

The County has an obligation to maintain the livability and support the sustainability of our resources. Our laws and regulations serve a purpose to protect these interests. The economic interest of QL does not support our community, our environment, and the greater good. The politics of growth (the political benefit of near-term construction's economic impact) needs to be balanced by what will be lost forever as the rural nature of the county is converted to a continuous humm of data centers.

Our resources and sensitive natural areas once disturbed cannot be restored.

Catherine Brown
5529 Mountville Rd, Adamstown, MD 21710

From: Darlene Joy Bucciero <dbuccier@umd.edu>
Sent: Monday, July 17, 2023 11:39 AM
To: Planning and Zoning <PlanningandZoning@FrederickCountyMD.gov>
Subject: Quantum Loophole's Application for Special Exemption

[EXTERNAL EMAIL]

Dear Frederick County Planning Commission:

I have been reading about Quantum Loophole company about its work in connecting data centers in Frederick County and Northern Virginia. Aside from my personal opinion about having data centers in Frederick County at all, I understand that this work could be an improvement for the work that data centers perform and certain aspects of the local economy.

However, Quantum Loophole has not acted in good faith in its methods of construction. It is the beginning of its construction process and it has already been cited for multiple violations by MDE. Allowing this company a special exemption to drill and operate in the floodplains of Frederick County would demonstrate the Planning Commission's disregard for the community it serves. Quantum Loophole already shows how it does not respect the State rules and regulations and the communities where they are working.

The Planning Commission should not allow this exception before ensuring this company is fully in compliance with all applicable regulations; proves that the river and floodplain crossings are the least risky points; and proves that changing their route to avoid sensitive areas would cause them "exceptional hardship;" otherwise, the Planning Commission shows their loyalty to the corporations rather than the County's communities. It is not in the best interest of the County to allow a company to continue its construction when its "bad acting behavior" has already been documented.

Sincerely,
Darlene Bucciero of 923 North Market Street, Frederick, MD

Darlene J Bucciero, Director, PMP, LEED GA
Research Facilities Management Office
College of Agriculture and Natural Resources
1209 Symons Hall
College Park, MD 20742
(o) 301.405.5429
(c) 240.446.6451
(f) 301.405.2963

From: Pam Burke <pjburke737@gmail.com>

Sent: Monday, June 12, 2023 5:26:49 PM

To: Council Members <CouncilMembers@FrederickCountyMD.gov>

Cc: Wilkins, Michael <MWilkins@FrederickCountyMD.gov>; Gaines, Kimberly

<KGaines@FrederickCountyMD.gov>; Constituent Services

<constituentservices@FrederickCountyMD.gov>

Subject: Quantum Loophole and Data Centers in General

[EXTERNAL EMAIL]

Dear Councilmembers,

Thank you for the work you do on behalf of Frederick County residents and taxpayers, and especially for denying the Windridge rezoning request. We feel compelled to write after reading about the serious, and multiple, environmental violations that were the result of Quantum Loophole's construction. Sadly, Congressman Trone referred to these violations as a "speed bump", and we sincerely hope you see violations such as these, at the very beginning of construction, as something far more significant.

Data centers are not pain-free tax dollar generators, as some have attempted to portray them. They consume tremendous amounts of water and electricity, create noise pollution, and increase impermeable surfaces that negatively impact stormwater runoff. All of those costs will be borne by taxpayers in some way. We moved from Herndon Virginia to Frederick County due to the uncontrolled, and unsustainable, development. Twenty years later some things have changed in Frederick County but Loudoun County Virginia is unrecognizable and definitely not a place we'd want to live, and data centers played a very big role in creating that environment.

At times it feels as if we are constantly battling a Ponzi scheme with regard to taxes. We are promised the benefits of a particular project, while the costs are never fully recognized or admitted, leaving those for the next generation to deal with, and rarely do the purported tax benefits live up to expectations. Of course there are always a hundred reasons why that eventuality couldn't be seen at the outset, but we all recognize a pattern when we see it. The proliferation of subdivisions is another example of promised tax revenue that never meets the costs of building and maintaining the infrastructure they require.

Our concern about the issues we've mentioned requires us to ask that you please not support the Quantum Loophole request for a special exception to drill below the floodplain in Frederick County. QL should first repair the environmental damage it has created, pay any fines associated with those violations, and demonstrate the understanding that they are required to act with integrity if they want to do business in Frederick County. Then, maybe, a special request could be considered.

Very Sincerely,
Paul and Pam Burke
9233 Bessie Clemson Rd

Comment on B-23-04 (B274872) REQUEST: Special Exception to allow Activity within Floodplain District under Sec.1-19-9.110 and Sec 1-19-9.120 Procedures for Activities within the FEMA Floodplain.

Quantum Loophole and its subcontractor Telecon have requested special exceptions to drilling and placement of 'vaults' in floodplains, wetlands, and flooding soils in the fibre conduit path for future data centers at the Eastalco site.

Although necessary for the future operations of the multiple data centers for the site, there are some issues that should be addressed by Quantum Loophole and Telecon staff.

1. It is not obvious what the vaults will be used for in the operations. Are they to be water-tight to protect fibre conduit during normal operations? Will the 'vaults' require re-entry and therefore aperiodic floodplain damage in the future? If there is routine inspection or renovation, won't the floodplain, wetlands, or flooding soils be repeatedly damaged?
2. Access roads reportedly will be removed yet if inspection or maintenance of fibre within the vaults is required, will new roads or tracks be built, repeatedly damaging areas restored or recolonizing naturally?
3. Floodplain and wetland plants and soils must be re-established in the areas following vault and conduit placement. This implies re-planting similar-size and aged trees and shrubs for floodplains and seeds and shrubs for wetlands. If wetlands are damaged, return/replacement of flooding soils must occur, as organic-rich very fine-grained silts and clays that will foster a rapid return of the nutrient cycling and sediment trapping inherent to these important systems that safeguard the creeks and streams immediately adjacent or downstream.
4. These points suggest a) greater detail is needed before adoption of the requested Floodplain Activity and b) that Quantum Loophole provide financial resources now (escrow, bond) and a plan for restoration for any damage to the impacted sites. It would also be appropriate that some of those funds be used for independent monitoring of the sites (e.g., a non-affiliated or non-contracted business of Quantum Loophole, such as the Center for Watershed Protection) prior to and post-drilling though time (months to years).

In sum, the Board of Appeals members should request additional detail as well as the fiscal commitment suggested above prior to any acceptance of the proposed Quantum Loophole-Telecon proposed work in the County's floodplain areas. There is too little information justifying the request appeal's approval.

Kevin Sellner, Ph.D. (Fellowship of Scientists and Engineers)

QL has made it abundantly clear that they cannot be trusted. On top of that, they insulted everyone's intelligence by trying to blame what were obviously intentional actions on "miscommunication."

I oppose granting a special exception at this time. There should be no consideration given to this application to drill and operate in the floodplains until:

- * The project is fully in compliance with all applicable regulations.
- * Quantum Loophole proves that the river and floodplain crossings are the least risky points.
- * Quantum Loophole proves that changing their route to avoid sensitive areas would cause them "exceptional hardship."

Frederick County does not need QL. We have the upper hand, and have no reason to cut them any slack.

QL can either play by the rules -- with no more "miscommunication" -- or leave.

Sherman Johnson
Middletown



Maryland Department of Environment
Water and Science Administration
Compliance Program
1800 Washington Blvd, Suite 420
Baltimore, MD 21230-1719
410- 537-3510, 1-800-633-6101

Inspector: Gregory Hazzard
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Poolesville, MD 20842
County: Montgomery
Start Date/Time: September 22, 2022 10:15 AM
End Date /Time: September 22, 2022 11:15 AM
Media Type(s): NPDES Construction Activity, Nontidal Wetlands, Waterway Construction
Contact(s): John McAdoo, Superintendent, Primoris
Troy Harward, Environmental Inspector, WSSI

NPDES Construction Activity

Permit / Approval Numbers: MDRCY06G4

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Record Review, Visual Observation

Inspection Findings: The last NPDES inspection on file is from 9/13/22. The plans and other required documents are onsite.

The project remains in violation of Title 9 of the Annotated Code of Maryland, Environmental Article, due to the following:

1. Release of bore mud and its constituents to wetlands.

Please note that violations of Title 9 may subject the responsible parties to penalties or other enforcement actions.

MDE recommends the following corrective actions:

- A. Continue cleanup operations as noted in the nontidal wetlands section below.

NPDES Construction Activity - Inspection Checklist

Inspection Item	Status	Comments
Is the site in compliance with the prohibition against non-stormwater discharges (including concrete washout), and is the discharge of other pollutants minimized (such as wash waters, chemical spills, and trash)?	Out of Compliance	see findings
Were visible pollutants observed in the receiving waters or in a position likely to pollute water of the State?	Out of Compliance	see findings

Nontidal Wetlands

Permit / Approval Numbers: 21-NT-3181

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Record Review, Visual Observation

Inspection Date: September 22, 2022
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Poolesville, MD 20842

Inspection Findings: Clean up operations are continuing. Mr. McAdoo stated that the bore mud deposit is thicker in the emergent/herbaceous wetland than what was encountered in the forested wetland area thus clean up is taking longer. The vegetation was trimmed down for easier access. MDE reviewed the progress and showed the preferred condition to which the wetland is returned (entirely removing the bright red colored mud) to Mr. McAdoo. MDE reiterated that the herbaceous/emergent character of the wetland allows for more aggressive removal of the bore mud with less concern for the root layer since herbaceous species will grow back more readily especially with application of the emergent wetland seed mix proposed to be spread at the conclusion of bore mud removal in the emergent wetland.

Primoris anticipates that bore mud removal action will conclude next week.

The site remains in noncompliance of Title 5 of the Annotated Code of Maryland, Environmental Article, due to the following:

1. Unauthorized impacts to forested and emergent wetlands, and to waterways as a result of the bore mud deposit and subsequent clean up operations in both. This violation will be cited until cleanup operations are completed AND the permit has been modified, after-the-fact, to account for the additional impacts.

Please note that violations of Title 5 may subject the responsible parties to possible penalties or other enforcement actions. MDE recommends the following corrective actions:

- A. Continue to remove the bore mud from the herbaceous/emergent wetlands as quickly as possible. Bore mud should be removed to the degree that wetland topography is restored. Removal of the herbaceous wetland plants is acceptable for clean up of the bore mud. Unnecessary damage to wetlands habitats should be avoided as best as possible and locations where additional habitat damage is incurred by clean-up operations should be restored. A wetland seed mix should be applied to all impacted areas once bore mud removal is complete. This seed mix should be pre-approved by MDE's wetlands planner.
- B. Submit an after-the-fact modification to the NT permit accounting for the additional impacts to wetlands, buffers, 100-year floodplain and waterways incurred by the mud release and subsequent cleanup operations to the Department when all actions are completed and accounted for.

Nontidal Wetlands - Inspection Checklist

Inspection Item	Status	Comments
Under COMAR 26.23.03.02 A(8), Remove excess fill or construction material or debris to an upland disposal area	Out of Compliance	see findings

Waterway Construction

Permit / Approval Numbers: 21-NT-3181

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Record Review, Visual Observation

Inspection Findings: As iterated in the findings of the MDE inspection report of 9/13/22, the waterway has been returned to its natural/ambient condition. Spartan Directional continues to pump water from the stream for use in the bore mud clean up operation in the emergent wetland.

As stated above, the Waterway Construction inspection status will remain noncompliant until the impacts the stream incurred as a result of the bore mud release and clean up operations have been authorized in an after-the-fact permit modification.

Waterway Construction - Inspection Checklist

Inspection Item	Status	Comments
Is the activity/construction occurring in accordance with the approved plan and permit conditions?	Out of Compliance	see findings

Inspection Date: September 22, 2022
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Poolesville, MD 20842

Inspector: _____	Received by: _____
Gregory Hazzard /Date	Signature/Date
gregory.hazzard@maryland.gov	_____
301-665-2850	Print Name



Maryland Department of Environment
Water and Science Administration
Compliance Program
1800 Washington Blvd, Suite 420
Baltimore, MD 21230-1719
410- 537-3510, 1-800-633-6101

Inspector: Gregory Hazzard
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Poolesville, MD 20842
County: Montgomery
Start Date/Time: September 27, 2022 02:00 PM
End Date /Time: September 27, 2022 04:00 PM
Media Type(s): Nontidal Wetlands, Waterway Construction, NPDES Construction Activity
Contact(s): Troy Harward, Environmental Consultant, WSSI
John McAdoo, Superintendent, Primoris, LLC
George Long, Telcon Services, LLC

Nontidal Wetlands

Permit / Approval Numbers: 21-NT-3181

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Visual Observation

Inspection Findings: Bore mud clean up in the emergent wetland was found to be completed to an acceptable degree with the native soil surface and former root layer restored. The wetland seed mix and straw mulch has not been spread yet to allow for easy inspection today.

The turbidity curtain remains in place in the Potomac River at the mouth of the tributary that was formerly impacted by the frac out. Some sandbags are still instream at one location in the tributary.

The site remains in noncompliance of Title 5 of the Annotated Code of Maryland, Environmental Article, due to the following:

1. Unauthorized impacts to forested and emergent wetlands, and to waterways as a result of the bore mud deposit and subsequent clean up operations in both. This violation will be cited until the permit has been modified, after-the-fact, to account for the additional impacts.

Please note that violations of Title 5 may subject the responsible parties to possible penalties or other enforcement actions. MDE recommends the following corrective actions:

- A. A wetland seed mix should be applied to all impacted areas now that bore mud removal is complete. This seed mix should be pre-approved by MDE's wetlands planner. Straw mulch should then be applied overtop.
- B. Remove the turbidity curtain, sandbags, and all other construction materials from the waterways.
- C. Submit an after-the-fact modification to the NT permit accounting for the additional impacts to wetlands, buffers, 100-year floodplain and waterways incurred by the mud release and subsequent cleanup operations to the Department when all actions are completed and accounted for.

Nontidal Wetlands - Inspection Checklist

Inspection Item	Status	Comments
Under COMAR 26.23.03.02 A(8), Remove excess fill or construction material or debris to an upland disposal area	Out of Compliance	see findings

Waterway Construction

Inspection Date: September 27, 2022
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Poolesville, MD 20842

Permit / Approval Numbers: 21-NT-3181

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Visual Observation

Inspection Findings: See findings in the nontidal wetland section.

Waterway Construction - Inspection Checklist

Inspection Item	Status	Comments
Is the activity/construction occurring in accordance with the approved plan and permit conditions?	Out of Compliance	see findings

NPDES Construction Activity

Permit / Approval Numbers: MDRCY06G4

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Compliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Visual Observation

Inspection Findings: The NPDES records and documents reviewed today meet the permit requirements.

All bore mud has been removed from wetlands and waterways. The site has returned to compliance with Title 9.

Inspector: _____ Received by: _____
Gregory Hazzard /Date
gregory.hazzard@maryland.gov
301-665-2850
Signature/Date

Print Name



Maryland Department of Environment

Water and Science Administration

Compliance Program

1800 Washington Blvd, Suite 420

Baltimore, MD 21230-1719

410- 537-3510, 1-800-633-6101

Inspector: Kate Ansalvish
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Montgomery County
Start Date/Time: November 23, 2022 01:00 PM
End Date /Time: November 23, 2022 03:00 PM
Media Type(s): Sediment_Erosion, Waterway Construction, NPDES Construction Activity
Contact(s): John Future: Primoris
George Long: 954-849-4494

Sediment Erosion, NPDES Construction, & Waterway

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: MDRCY06G4

Inspection Reason: Initial Quarterly

Site Status: Active

Compliance Status: No Violations Observed; NPDES: Non-Compliance

Site Condition: Additional Investigation Required

Recommended Action: Additional Investigation Required

Evidence Collected: Visual Observation

Delivery Method: Email

Weather: Calm

Inspection Findings: Today's unannounced inspection found site work active at New Design Rd in preparation of boring under the Potomac River. The area has been cleared and stone entrance installed. I met John and Tracy onsite. I spoke with George on the phone. The following was observed:

-NPDES self- inspection reports were not available onsite.


-No grading permit has been obtained: County possibly allowing boring activity without permit: must remain under 5000 sq ft and less than 100 cu yards. No pre-con has occurred. Work is also reported to be active at the Monocacy River.

-ESC plan was not available onsite.

Later review of ESC plans found sheet 7 (Approximate ST. 72-86) missing from the approved plan set. Access should be included as part of LOD: grading permit may be necessary for this phase.

Approved plans, permits, and NPDES self-inspection reports should be available onsite. Site RPC was not determined. Additional information is needed at this time to determine any additional corrections.

Inspection Date: November 23, 2022
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

Inspector:  11-28-22 Received by: _____
Kate Ansalvish /Date
kate.ansalvish1@maryland.gov
301-689-1480
Signature/Date

Print Name



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Baltimore, MD 21230-1719
410- 537-3510, 1-800-633-6101

Inspector: Kate Ansalvish
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: 5646 Tuscarora Rd, Tuscarora, MD 20842
County: Frederick County
Start Date/Time: November 29, 2022 01:30 PM
End Date /Time: November 29, 2022 03:00 PM
Media Type(s): NPDES Construction Activity, Sediment_Erosion, Waterway Construction
Contact(s): George Long: Telecon Services
Troy Harward: WSSI
Jeff Schamber (not onsite): Telecon Services

NPDES Construction Activity, Sediment/Erosion, & Waterway

Permit / Approval Numbers: MDRCY06G4 & 21-NT-3181

Inspection Reason: Initial Quarterly, Initial Yearly

Site Status: Active

Compliance Status: Noncompliance

Site Condition: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Visual Observation

Delivery Method: Email

Weather: Clear

Inspection Findings: Today's inspection occurred with George Long, Troy Harward, Greg Hazzard (MDE), Douglas Cochran (Frederick County ESC inspections) and representatives from Primoris, Legend (drilling Operators at Monocacy), and Flat Iron (drilling operators at Potomac). Work remains active in Montgomery County, however, this report only addresses Frederick County. Bores will be 36" to accommodate a 24" conduit. Drilling operations is expected to begin at both crossing as soon as possible. The Monocacy bore is ~2500 ft with expected completion by February 1, 2023. The Potomac bore is ~3500 ft with expected completion by March 1, 2023. Per approved plans and permit conditions, boring is prohibited March 1- June 15.

Installation of access, stone and matting has occurred at the south Monocacy bore pit, and the Maryland Potomac pit. The stone/matting access to the Monocacy pit is approximately 2550' in length. The Frederick County grading permit has not yet been approved.

Today's inspection occurred at the Monocacy bore pit only, Segment 2. Work is not currently active on the north side of the Monocacy. Access for this location was unknown at the time of the inspection.

The ESC plan for these segments have been approved; however, the Segment 2 plan is missing sheet 007 of 012. Work is currently active at this location. A redline plan should be submitted for approval immediately.

Spoils from the drilling activity were reported to be going to a farm. Spoils are required to go to an approved location. The receiving site permit should be provided before drilling work begins.

An unauthorized 24" pipe has been installed in the waterway. This location is shown, with a crane mat crossing on Segment 2 sheet 008 of 012. Work is expected to be completed at this location by February 2023. The temporary pipe must be sized to accommodate the 2-yr flow and waterway authorization modified to address this impact. Disturbed soils should be stabilized immediately. Sediment is in a condition likely to pollute.


NPDES self-inspection reports were available onsite. All disturbed soils should be stabilized daily.

Inspection Date: November 29, 2022
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

The following violations corrective actions should be addressed:

- 1) Active work area is not shown on the ESC plan // Submit plans to SCD for approval of sheet 007/012 immediately.
- 2) Unauthorized pipe has been installed // As an interim measure, immediately verify pipe can convey the 2-yr storm flow. Submit for modification of 21-NT-3181 to include pipe, if it can be authorized. Installation of correct size or spanned crossing may be required.
- 3) Soil disturbance has occurred without installation of sediment controls // Daily stabilization of disturbed soils is required, this includes stabilization of soils at the stream channel and steep stream banks.
- 4) Permit for spoil material location was not available // provide permit

Please contact me with any questions.

Inspector:  11-30-22 Received by: _____
Kate Ansalvish /Date
kate.ansalvish1@maryland.gov
301-689-1480
Signature/Date

Print Name



Figure 1: Unauthorized 24" pipe. Sediment pollution has occurred and remains in a condition likely.



Figure 2: Access installed with minor grading for wood mats/ stone. Grading/ SWM permit has not been issued.



Maryland Department of Environment
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Inspector: Kate Ansalvish
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Montgomery County
Start Date/Time: December 16, 2022 01:30 PM
End Date /Time: December 16, 2022 03:30 PM
Media Type(s): NPDES Construction Activity, Waterway Construction, Sediment_Erosion
Contact(s): Jon Nishwitz

NPDES Construction, Sediment/Erosion, & Waterway/Floodplain

Permit / Approval Numbers: MDRCY06G4 & 21-NT-3181

Inspection Reason: Follow-up (Non-Compliance), Complaint

Site Status: Active

Compliance Status: Noncompliance

Site Condition: Noncompliance

Recommended Action: Additional Investigation Required

Evidence Collected: Photos Taken, Visual Observation

Delivery Method: Email

Weather: Calm

Inspection Findings: Today's inspection of the Monocacy boring site occurred as a follow-up to the 11/29/22 inspection and due to citizen complaint.

Property owners expressed concern over the extent of work related to access. MDE has referred the access concerns to the respective Counties. However, access should be shown on an approved Erosion and Sediment control plan. Additional authorization from MDE for wetland/waterway impacts may also be necessary. The only approved access at the time is where the 30' utility LOD meets public roadways.

MDE has not received any information concerning the unauthorized pipe. Removal will be requested.


Site work has expanded beyond the 30' LOD approved by MDE for floodplain impacts. Vehicles off the matting/gravel have caused additional disturbance. No sediment controls have been installed; sediment pollution was observed, following the 2.2" rainfall that occurred on 12-15-22

This site is in violation of Environmental Article Titles 4, 5, and 9. The following violations corrective actions should be addressed:

- 1) Unauthorized pipe has been installed // By January 10th either verify that the pipe can convey the 2-yr storm flow or remove the pipe. Modification of 21-NT-3181 is needed to include the pipe. Installation of correct size or spanned crossing may be required.
- 2) Unauthorized impacts to floodplain have occurred. MDE authorized a 30' LOD. Sediment pollution to the Monocacy River floodplain was observed // Seed and stabilize any disturbance outside of the 30' LOD approved by MDE. Prohibit further disturbance. Apply for modification if additional area is needed.
- 3) Active work area has expanded beyond the approved ESC plan. Disturbance has occurred and controls have not been installed // Immediately stabilize all disturbed soils with seed and straw. County and SCD plans should be modified to include access roads and any additional LOD required outside of the approved LOD.

Inspection Date: December 16, 2022
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

Please contact me upon implementation of the requested corrective actions reasonably necessary to bring the site into compliance. If you have any questions or need assistance please contact me at the email address listed below or at 443-829-9405.

Inspector:  12/21/22 Received by: _____
Kate Ansalvish /Date
kate.ansalvish1@maryland.gov
301-689-1480
Signature/Date

Print Name



Maryland Department of Environment
Water and Science Administration
Compliance Program
1800 Washington Blvd, Suite 420
Baltimore, MD 21230-1719
410- 537-3510, 1-800-633-6101

Inspector: Kate Ansalvish
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Montgomery County
Start Date/Time: January 10, 2023 11:30 AM
End Date /Time: January 10, 2023 12:00 PM
Media Type(s): Waterway Construction, NPDES Construction Activity, Nontidal Wetlands
Contact(s): None onsite

Waterway, Nontidal Wetlands, & NPDES Construction

Permit / Approval Numbers: 21-NT-3181 & MDRCY06G4

Inspection Reason: Follow-up (Non-Compliance)

Site Status: Active

Compliance Status: Noncompliance

Site Condition: Noncompliance

Recommended Action: Additional Investigation Required

Evidence Collected: Visual Observation

Delivery Method: Email

Weather: Calm

Inspection Findings: Work at the Monocacy Crossing has stopped until the County grading permit, including access locations is approved. The unauthorized culvert remains in place and the appropriate pipe size has not been determined. Mr. Schamber reported via email on 1/6/23 that property owners have restricted access.

Today's inspection occurred at the Potomac crossing HDD pit off New Design/ Nolands Rd, Frederick County. The disturbed area exceeds the 30' LOD shown on the plan. Additional floodplain impacts have occurred. Additional non-tidal wetland and/or buffer impacts may also have occurred. The disturbed area is over 5000 sq ft.

Stabilization is needed along the road where trucks/traffic have disturbed soils.


NPDES self-inspection reports were available onsite. The Segment 15 plan was not available at Segment 15.

This site is in violation of Environmental Article Titles 4, 5, and 9. The following violations corrective actions should be addressed:

- 1) Unauthorized pipe has been installed in tributary to the Monocacy River // Remove pipe. Modification of 21-NT-3181 is needed to reinstall the pipe.
- 2) Unauthorized impacts to floodplain and wetlands/ buffer have occurred. MDE authorized a 30' LOD. Work measures up to 150' wide at segment 15 // LOD should return to 30' until authorization is received.
- 3) Active work area has expanded beyond the approved ESC plan. County stop work order has been placed (not including segment 15 pit) until plans are approved // County and SCD plans should be modified to include access roads and any additional LOD required outside of the approved LOD. Temporary stabilization should occur. Ongoing stabilization of roadside, where truck traffic has resulted in disturbance should occur.

Inspection Date: January 10, 2023
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

Please contact me upon implementation of the requested corrective actions reasonably necessary to bring the site into compliance. If you have any questions or need assistance please contact me at the email address listed below or at 443-829-9405.

Inspector:  1/18/23 Received by: _____
Kate Ansalvish /Date
kate.ansalvish1@maryland.gov
301-689-1480
Signature/Date

Print Name



Point of entry of muddy surface runoff to the stream. GDH 1/30/23.



Upstream, unimpacted view of stream bed. GDH 1/30/23.



Mud deposit sitting in stream. GDH 1/30/23.



Mud deposit sitting in stream. GDH 1/30/23.



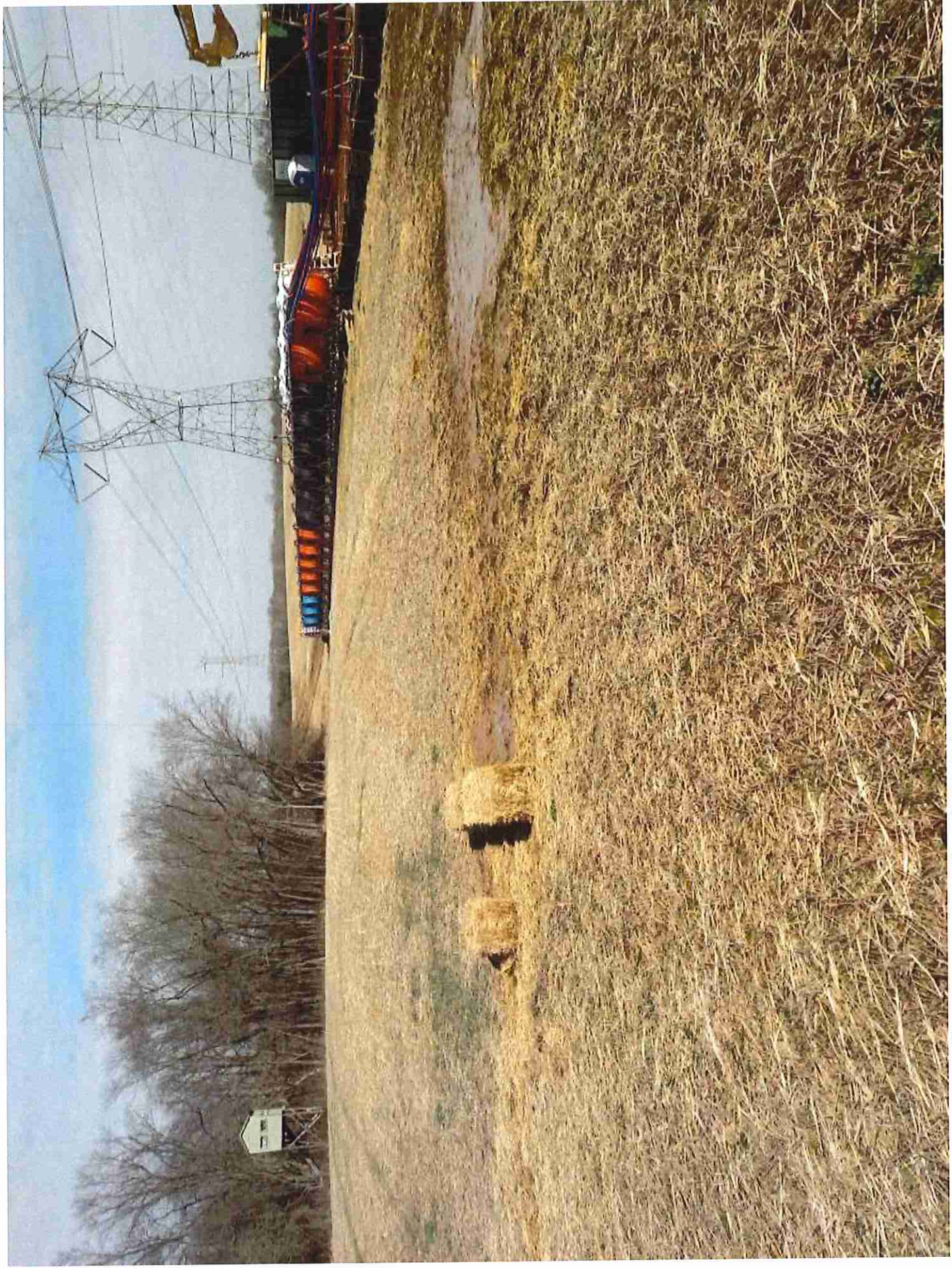
Mud deposit sitting in stream. GDH 1/30/23.



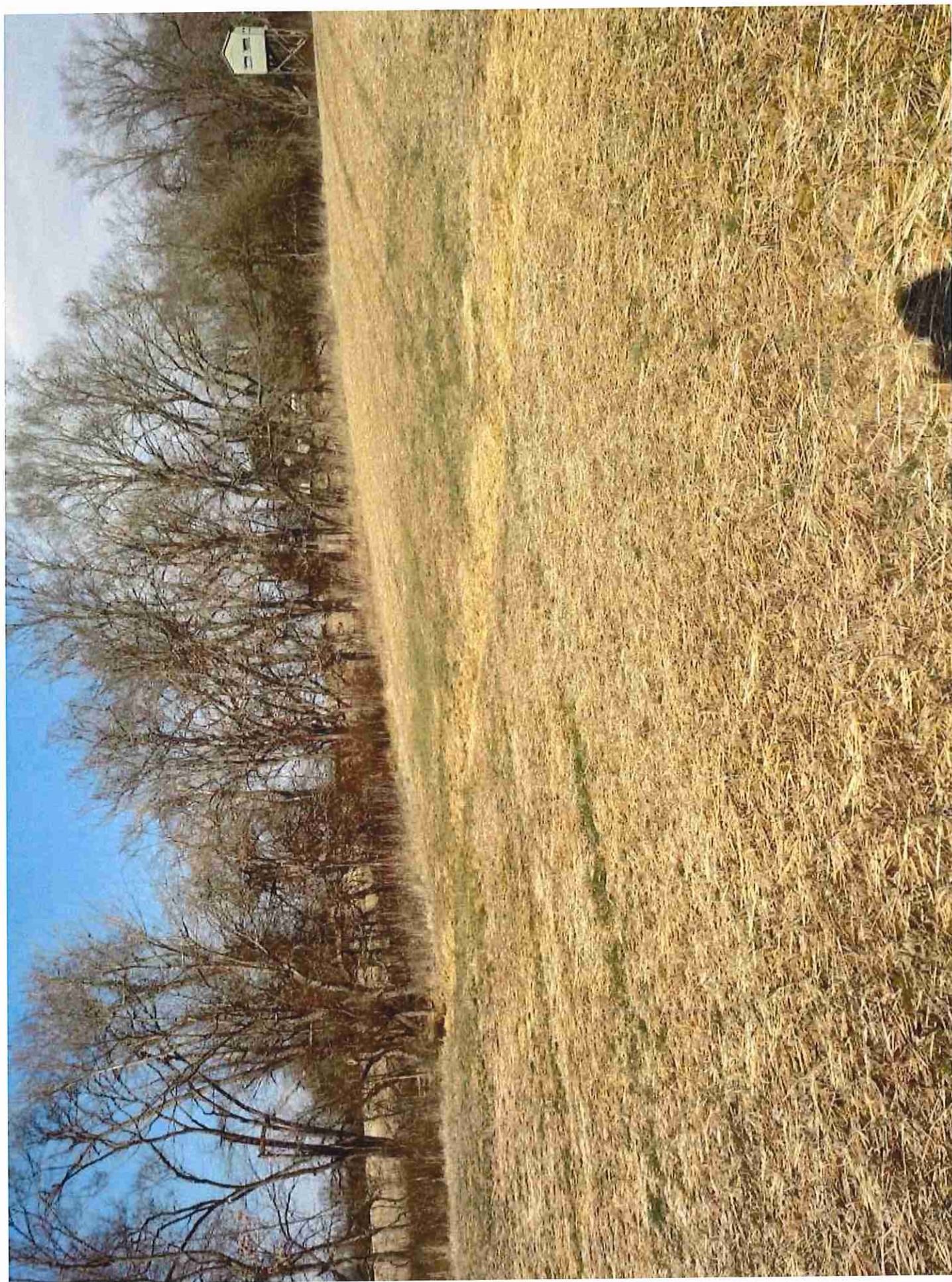
Confluence of impacted stream (right side) with other secondary stream. GDH 1/30/23.



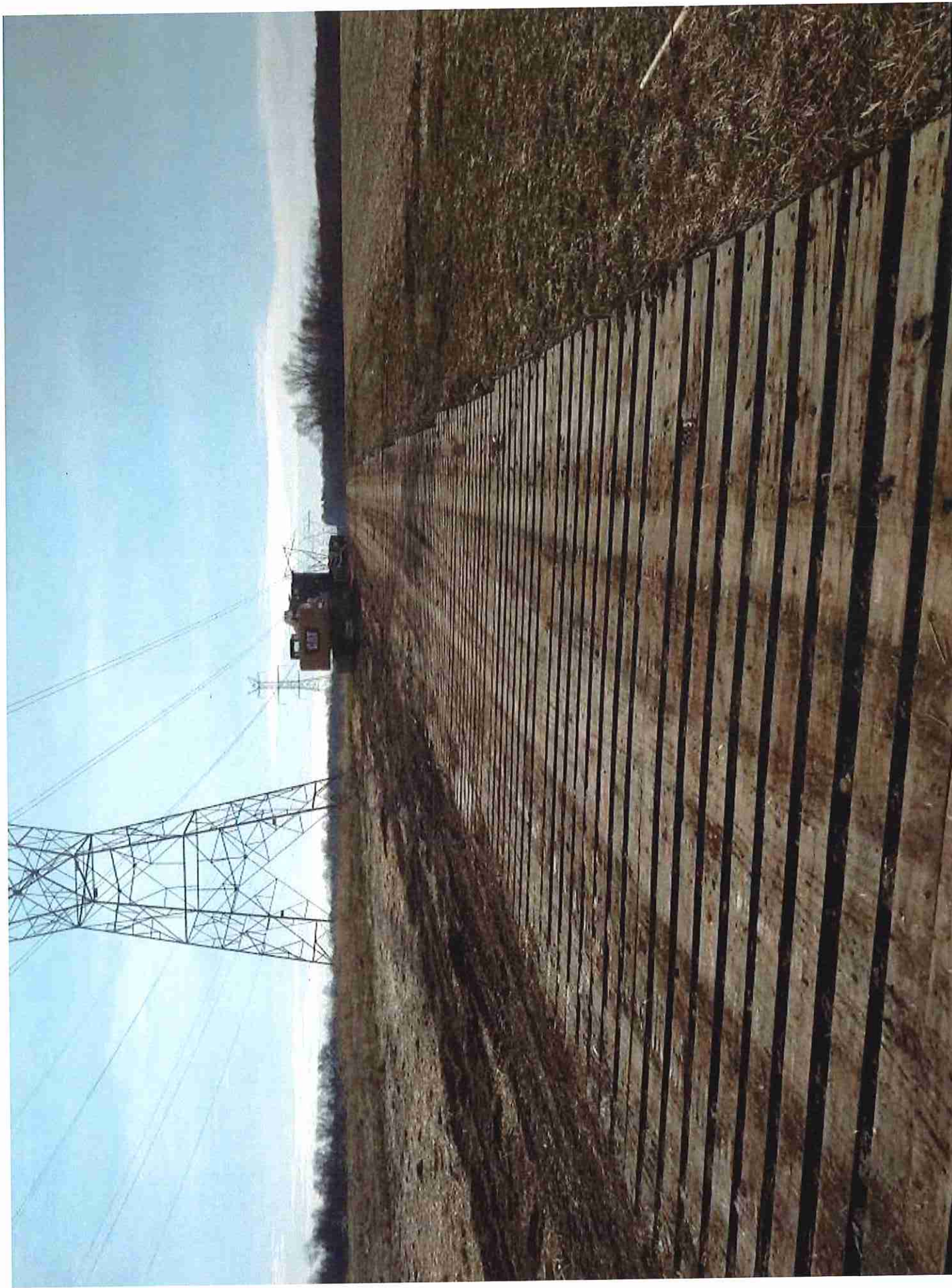
Bore site in Segment 5. Sediment flow seen in farm field, extends to the left towards the stream. Conduit is being put into casing. Buckets of conduit lubricant next to casing. GDH 1/30/23.



Strawbales placed in path of former sediment laden flow. GDH 1/30/23.



Flow path towards stream. GDH 1/30/23.



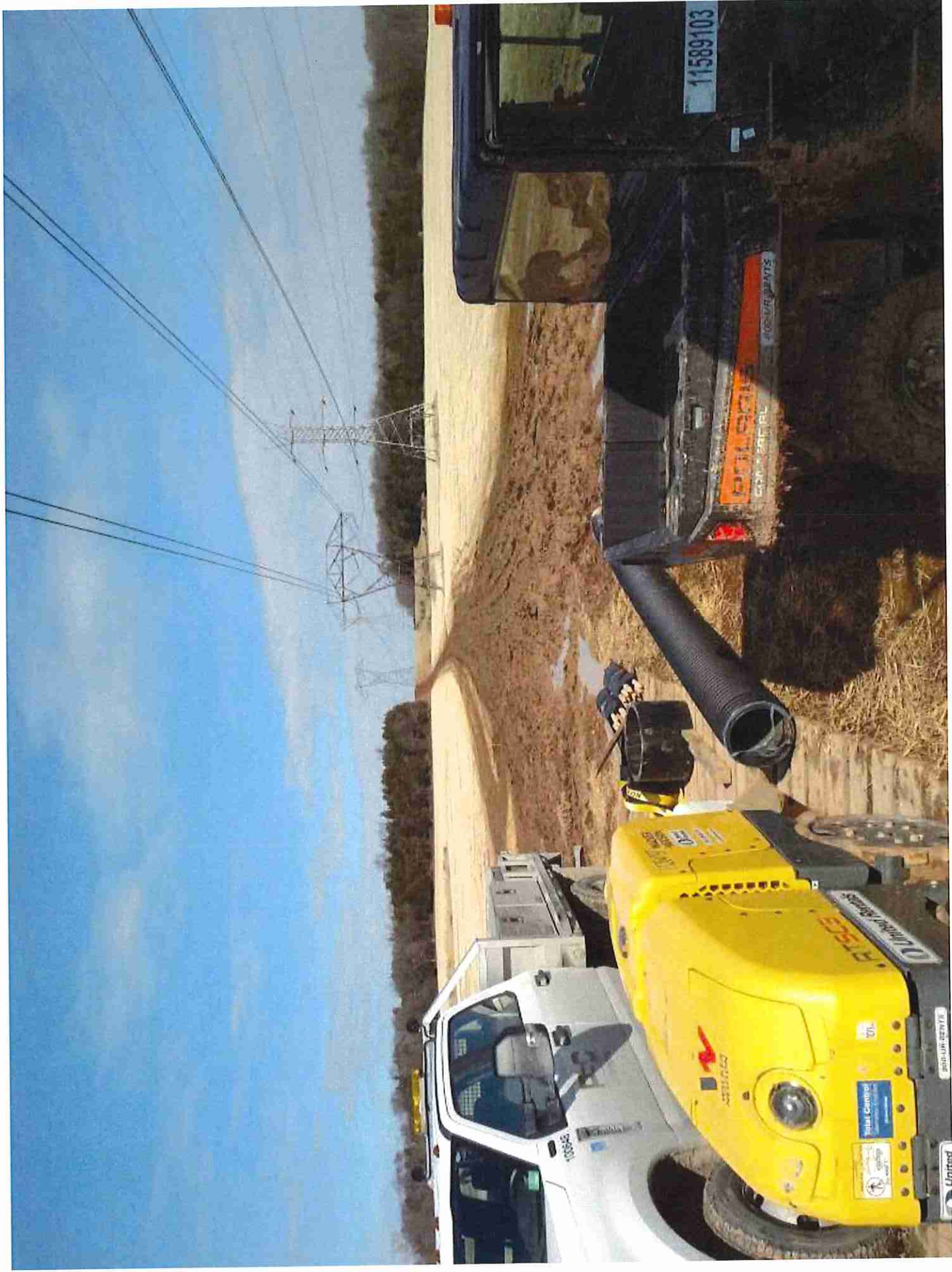
Traffic ruts and associated disturbance next to mat/pallet road leading from River Rd to bore pit. GDH 1/30/23.



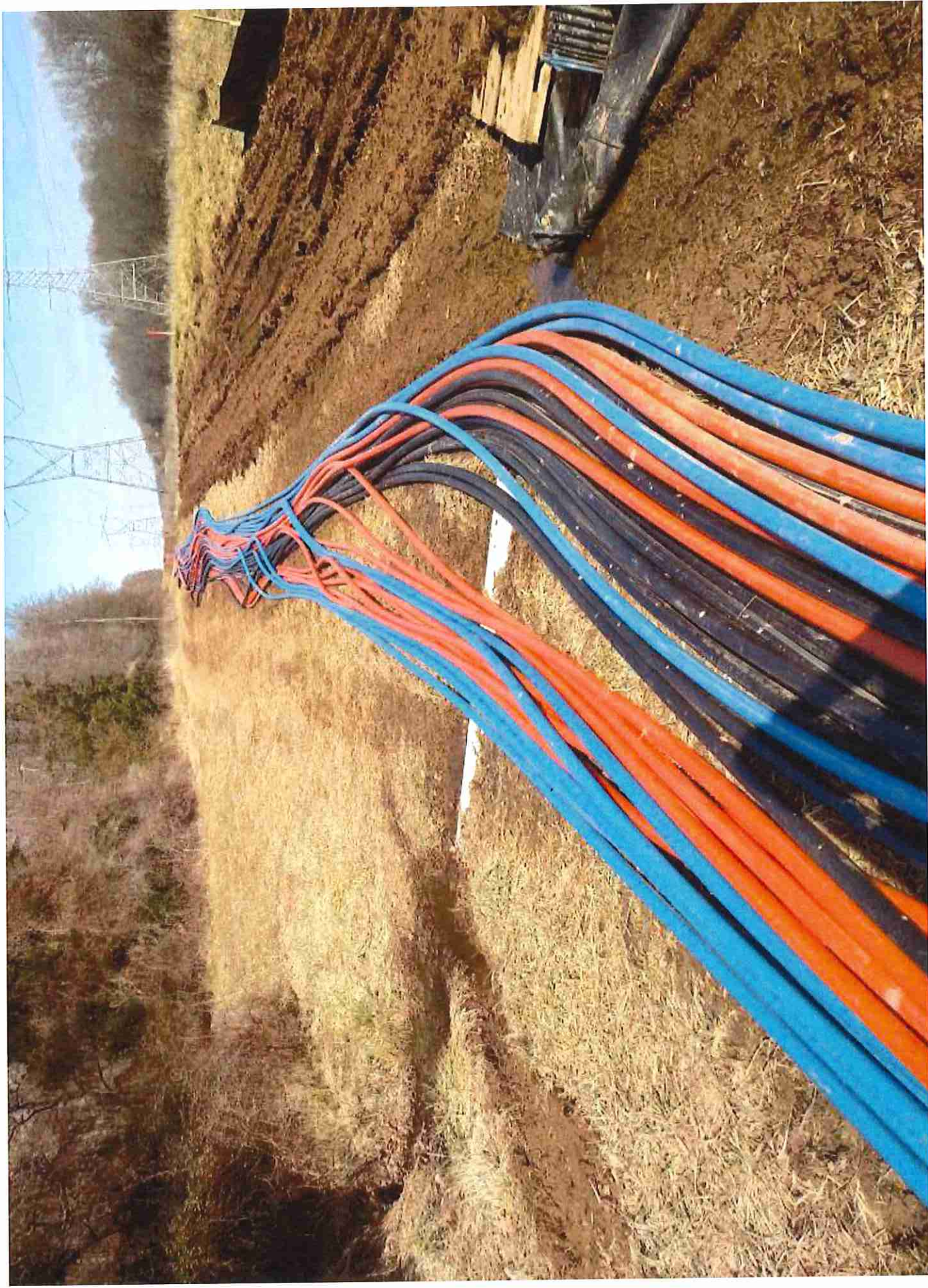
Entrance to bore pit road at River Rd intersection. GDH 1/30/23.



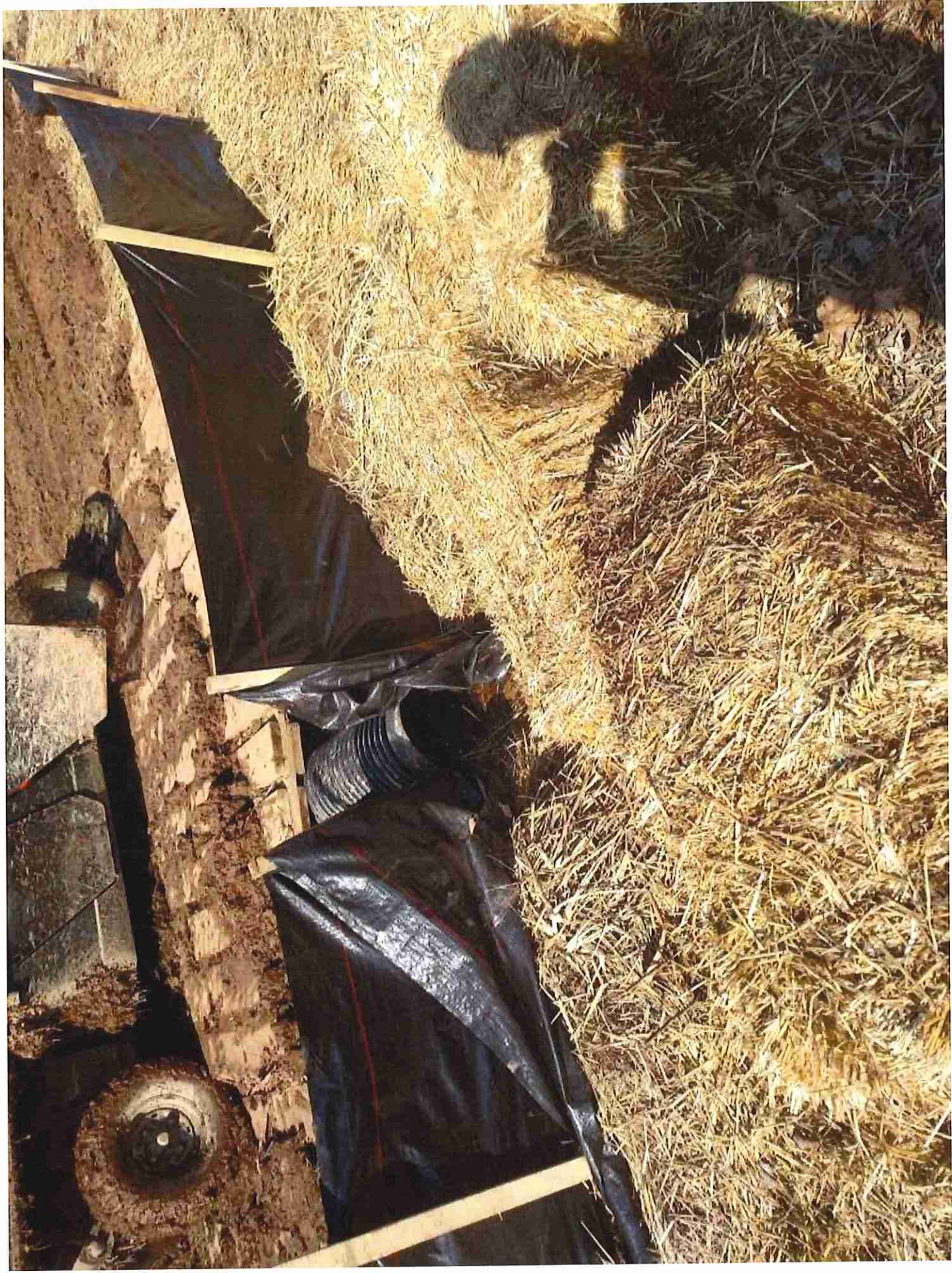
SCE is too short, compact, and full of sediment. Tracking onto River Rd. GDH 1/30/23.



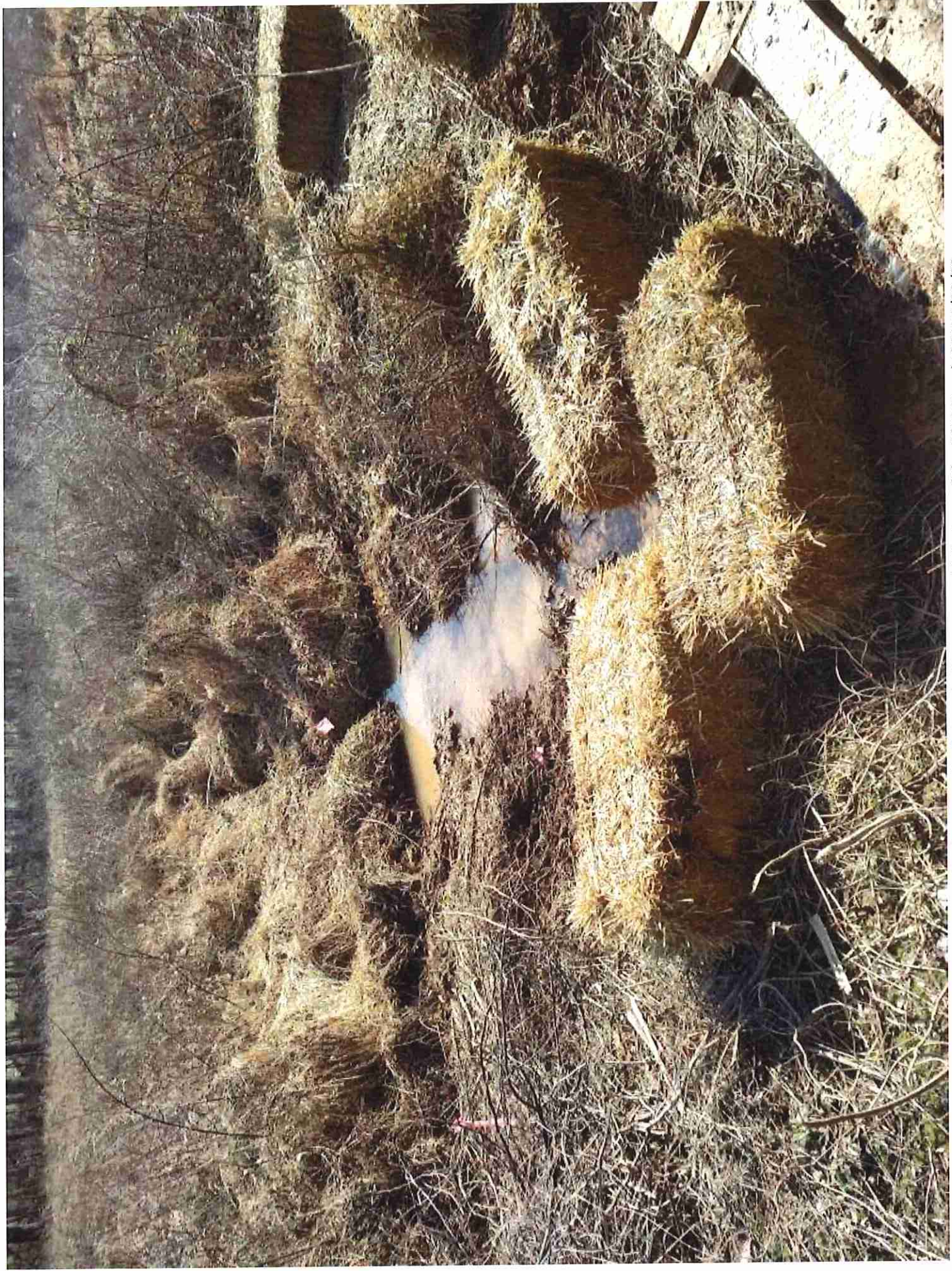
Mud track through farm field leading north through segment 4. GDH 1/30/23.



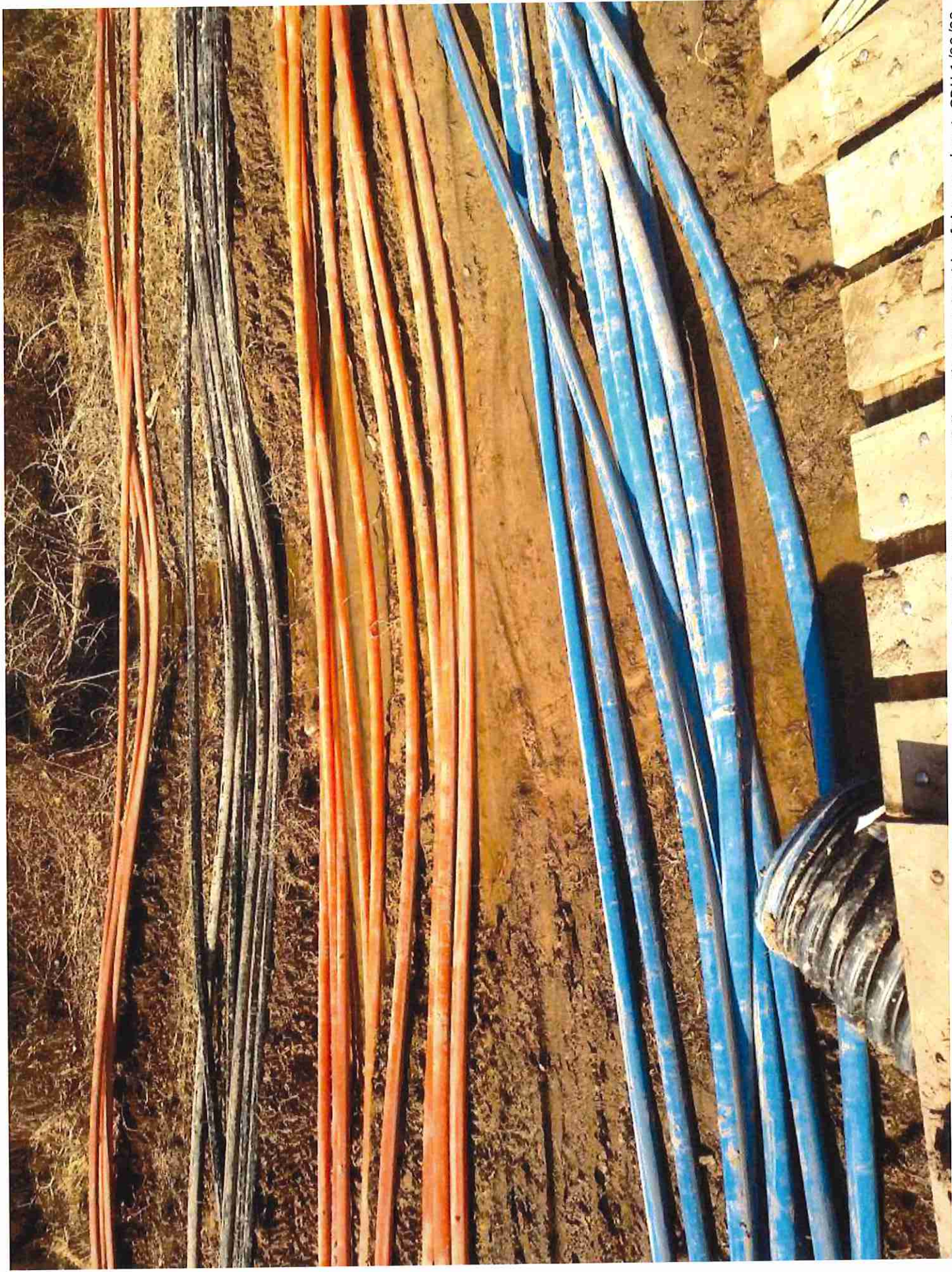
Pre-project 6 inch PVC pipe and project installed 12 inch CPP for 1st/southern crossing over a small tributary flowing to the east to an unnamed tributary of the C&O Canal. GDH 1/30/23.



Outfall of 12 inch CPP for the southern stream crossing in the active part of segment 4. GDH 1/30/23.



Sediment in the water of the northern stream crossing for a small tributary to the unnamed tributary of the C&O Canal. GDH 1/30/23.



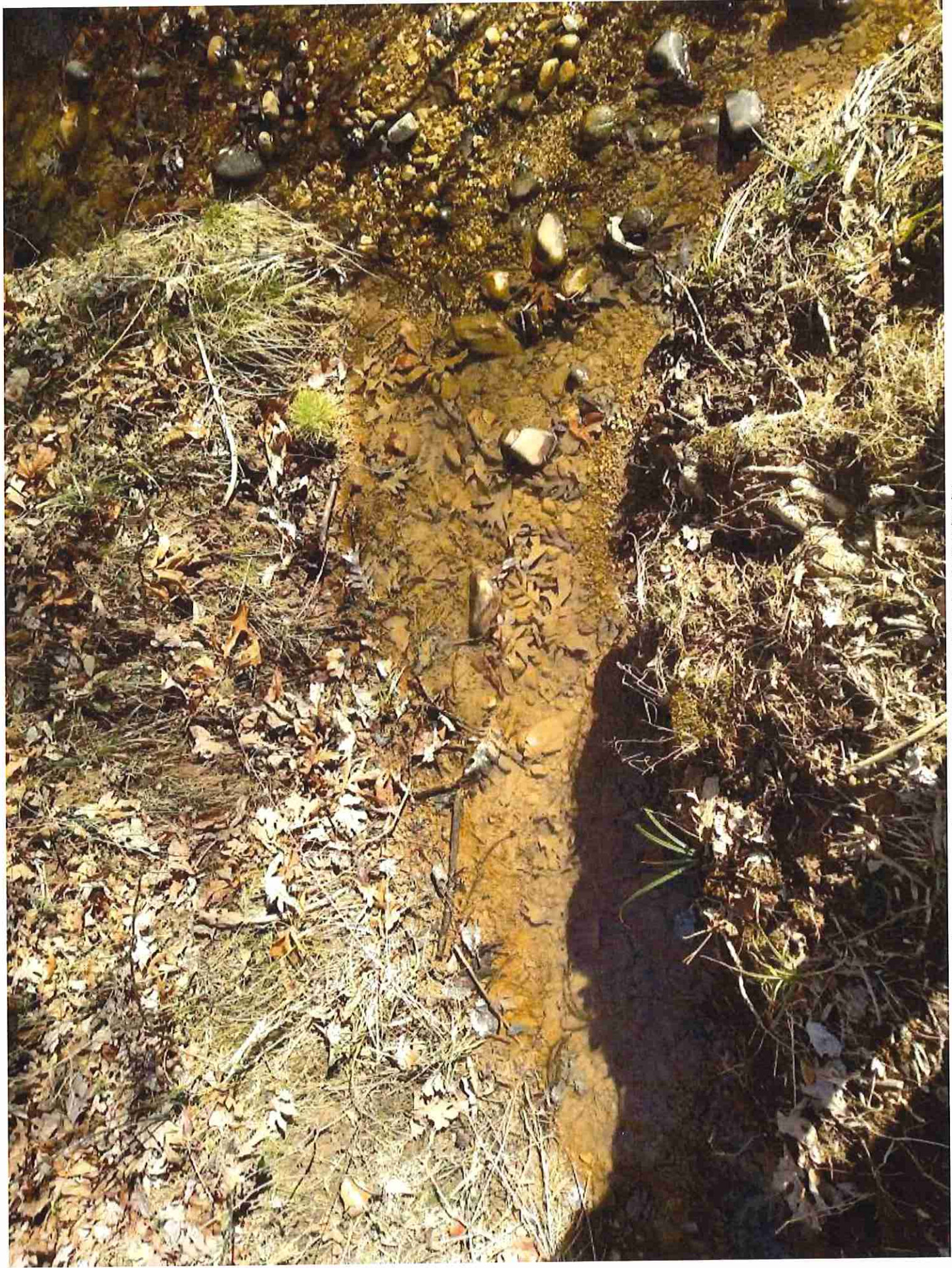
Northern stream crossing in Segment 4. Stream flows through the mud track then into 12 inch CPP which outfalls on the opposite side of the wood mat. GDH 1/30/23.



Sediment in the water column of the small tributary below the north stream crossing. GDH 1/30/23.



Sediment in the water column of the small tributary below the north crossing and the PEPCO road further downstream/east. GDH 1/30/23.



Confluence of the small tributary (left) to the unnamed tributary of the C&O Canal (right). GDH 1/30/23.



Maryland Department of Environment
Water and Science Administration
Compliance Program
1800 Washington Blvd, Suite 420
Baltimore, MD 21230-1719
410- 537-3510, 1-800-633-6101

Inspector: Gregory Hazzard
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Montgomery County
Start Date/Time: January 30, 2023 10:30 AM
End Date /Time: January 30, 2023 02:30 PM
Media Type(s): Waterway Construction, NPDES Construction Activity, Sediment_Erosion, Nontidal Wetlands
Contact(s): Jon Nishwitz, Telcon Services, Inc.
Josh Schneider, Telcon Services, Inc.
Troy Harward, Wetlands S.S.I.

Waterway Construction

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: N/A

Inspection Reason: Initial Quarterly, Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: Bore mud and sediment flowed from the bore pit at Segment 5 into a stream to the west with a recoverable deposit resting on the stream bed from its point of entry to the C&O Canal culvert. MDE is recommending that project crews remove the bore mud and sediment deposit while using in-stream construction BMPs (i.e. sand bag dams and diversion pumps). The impacts to be incurred by the clean up are given emergency approval. When the clean up is complete and total impacts to the waterway can be measured, an after-the-fact modification to the NT permit should be provided to MDE for review.

There are two stream crossings in Segment 4 which are apart of the trench work currently underway. Both crossings do not employ Best Management Practices (BMPs) to adequately avoid additional unauthorized impacts to the two waterways and their water quality. MDE recommends that diversion pipes and sandbag dams are set up to carry the stream flows through the entire width of the LOD so their flow is unimpeded and their water quality is not impacted. Anticipated site water collection at the downstream sand bag dike should be directed to a proper filtration device (i.e. silt fence).

All streams noted above are Use I-P waterways. The site is in noncompliance of Title 5 of the Annotated Code of Maryland, Environmental Article, due to the unauthorized impacts associated with the mud/sediment release and inadequate BMPs. Please note that violations of Title 5 may subject the responsible parties to possible penalties or other enforcement actions.

To date an after-the-fact modification to the NT permit has not been provided to the Department to address the impacts associated with the frac-out incident that occurred in Segment 5 in August and September of 2022.

Waterway Construction - Inspection Checklist

Inspection Item	Status	Comments
Is the activity/construction occurring in accordance with the approved plan and permit conditions?	Out of Compliance	see findings

Inspection Date: January 30, 2023
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

NPDES Construction Activity

Permit / Approval Numbers: MDRCY06G4

NPDES Numbers: N/A

Inspection Reason: Initial Quarterly, Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection, Additional Investigation Required

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: Bore mud and sediment bypassed the silt fence surrounding the bore pit at Segment 5 and flowed to the west into an unnamed tributary of the Potomac River, a Use I-P waterway, causing sediment pollution as well as pollution associated with the additives found in the bore mud. The incident was not reported on the NPDES reports on file, or was reported to MDE. This incident would be considered a triggering event as defined in the NPDES permit.

Two stream crossings in the active section of Segment 4 do not adequately employ BMPs. The northernmost crossing is causing sediment pollution to the stream. The water column of this impacted stream appears to clear up at its confluence with the unnamed tributary of the C&O Canal.

The NPDES inspections were filed in accordance with the permit's temporal requirements although the instances of sediment pollution noted above are not included. The plans on file onsite are not copies of the stamped/approved E&S plans. The E&S plans for pipeline/linear construction in Montgomery County are reviewed and approved by WSSC. E&S inspection is to be carried out by WSSC who is the delegated authority for pipeline/linear construction in Montgomery County.

The site is in violation of Titles 4 and 9 of the Annotated Code of Maryland, Environmental Article, due to the following:

1. Failure to have copies of the stamped/approved E&S plans onsite.
2. Failure to note the sediment pollution in NPDES reports.
3. Failure to notify the Department of a triggering event.
4. Sediment pollution of an unnamed tributary of the Potomac River and an unnamed tributary of the C&O Canal, both are Use I-P waterways.
5. Non-sediment/stormwater pollution of Use I-P waterways.
6. Failure to utilize adequate BMPs or take additional E&S measure to prevent sediment pollution.

Violations of Titles 4 and 9 may subject the responsible parties to possible penalties or other enforcement actions.

MDE recommends the following corrective actions be taken immediately:

- A. Using sandbag dikes and piping, setup clear water diversions for both stream crossings in Segment 4. Flank both downstream ends with silt fencing so that site water may filter and drain around the lower sandbag dike.
- B. Employ a more capable E&S control for the low point at the Segment 5 bore pit to allow site drainage to be adequately filtered and avoid future loss of sediment or bore mud.
- C. Remove sediment from the impacted stream west of the bore pit as noted in the Waterway Construction section of this report.
- D. Conduct thorough site inspections as required by the NPDES permit and notify the Department of any and all sediment or other pollutant discharge from the site as required by the NPDES permit.
- E. Obtain and retain onsite the stamped/approved copies of the E&S plans for the project.

NPDES Construction Activity - Inspection Checklist

Inspection Item	Status	Comments
Has the site designed, installed and maintained effective erosion controls and sediment controls to minimize the discharge of pollutants?	Out of Compliance	see findings
Are all systems of treatment and control used by permittee properly operated and maintained?	Out of Compliance	see findings
Is the site in compliance with the prohibition against non-	Out of Compliance	see findings

Inspection Date: January 30, 2023
 Site Name: QLoop LLC - Sage Fiber
 Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

NPDES Construction Activity - Inspection Checklist

Inspection Item	Status	Comments
stormwater discharges (including concrete washout), and is the discharge of other pollutants minimized (such as wash waters, chemical spills, and trash)?		
Were visible pollutants observed in the receiving waters or in a position likely to pollute water of the State?	Out of Compliance	see findings

Sediment Erosion

Permit / Approval Numbers: N/A

NPDES Numbers: N/A

Inspection Reason: Initial Quarterly, Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Additional Investigation Required, Refer to Others (See Findings)

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: See findings in the NPDES Construction Activity section for details.

Sediment Erosion - Inspection Checklist

Inspection Item	Status	Comments
Under Section 4-413(a) of the Environment Article, Annotated Code of Maryland except as authorized by a permit issued under Section 9-323 if the Article, it is unlawful for any person to add, introduce, leak, spill or otherwise emit soil or sediment into	Out of Compliance	see findings

Nontidal Wetlands

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: N/A

Inspection Reason: Initial Quarterly, Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: The release of bore mud and sediment from the Segment 5 bore pit and recommended clean up has and will result in additional temporary impacts to the 100-year floodplain of the Potomac River. When the clean up is complete and total impacts to the 100-year floodplain can be measured, an after-the-fact modification to the NT permit should be provided to MDE for review.

To date an after-the-fact modification to the NT permit has not been provided to the Department to address the impacts associated with the frac-out incident that occurred in Segment 5 in August and September of 2022.

The site remains in violation of Title 5 of the Annotated Code of Maryland, Environmental Article, due to the following:

1. Unauthorized additional temporary and permanent impacts to nontidal wetlands, their buffers and 100-year floodplains.

Please note that violations of Title 5 may subject the responsible parties to possible penalties and other enforcement actions. MDE recommends the following corrective actions be taken immediately:

- A. Clean up/remove all sediment and bore mud deposited in the waterways and 100-year floodplain using appropriate BMPs.
- B. Provide an after-the-fact modification to the Department addressing all additional impacts incurred by former and current frac-out/discharge events and their subsequent clean up.

Inspection Date: January 30, 2023
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

Inspector: _____ Received by: _____
Gregory Hazzard /Date _____ Signature/Date _____
gregory.hazzard@maryland.gov _____
301-665-2850 _____
Print Name _____



Maryland Department of Environment

Water and Science Administration

Compliance Program

1800 Washington Blvd, Suite 420

Baltimore, MD 21230-1719

410- 537-3510, 1-800-633-6101

Inspector: Gregory Hazzard
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Montgomery County
Start Date/Time: February 03, 2023 11:30 AM
End Date /Time: February 03, 2023 12:40 PM
Media Type(s): Waterway Construction, Nontidal Wetlands, NPDES Construction Activity, Sediment_Erosion
Contact(s): Jon Nishwitz, Telcon Services
Troy Harward, Wetlands S.S.I.

Waterway Construction

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Visual Observation

Delivery Method: Email

Inspection Findings: Stream cleaning operations were underway and near completion. PSC has employed diversion pumps and sandbag dams to divert the streams flow and a vacuum truck to remove the bore mud in the stream channel. MDE recommends that PSC vacuum the remaining turbid water in the waterway before removing the diversion dams.

The site remains in violation of Title 5 due to the impacts associated with the current and former bore mud clean up operations that have not been added to the NT authorization. MDE recommends that QLoop provide an after-the-fact modification to the NT authorization to account for all former and current impacts outside of original project LODs associated with the mud releases and their subsequent clean up operations.

Waterway Construction - Inspection Checklist

Inspection Item	Status	Comments
Is the activity/construction occurring in accordance with the approved plan and permit conditions?	Out of Compliance	see findings

Nontidal Wetlands

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Visual Observation

Delivery Method: Email

Inspection Findings: No additional impacts to nontidal wetlands, their buffers, or 100-year floodplain has occurred since the January 30, 2023 MDE Inspection. The site remains in violation of Title 5 due to the impacts associated with the current and former bore mud clean up operations that have not been added to the NT authorization. MDE

Inspection Date: February 03, 2023
 Site Name: QLoop LLC - Sage Fiber
 Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

recommends that QLoop provide an after-the-fact modification to the NT authorization to account for all former and current impacts outside of original project LODs associated with the mud releases and their subsequent clean up operations.

NPDES Construction Activity

Permit / Approval Numbers: MDRCY06G4

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Visual Observation

Delivery Method: Email

Inspection Findings: The bore mud removal from the waterway west of Segment 5 is almost complete.

Telcon reported that steps to address the sediment pollution from the two Segment 4 stream crossings have not been taken.

The site remains in noncompliance of Title 4 and 9 due to ongoing sediment pollution as a result of inadequate stream crossings. Please note that violations of Titles 4 and 9 may subject the responsible parties to possible penalties or other enforcement actions. MDE recommended actions can be found in the MDE reports of 1/30 and 2/2.

NPDES Construction Activity - Inspection Checklist

Inspection Item	Status	Comments
Are all systems of treatment and control used by permittee properly operated and maintained?	Out of Compliance	see findings
Were visible pollutants observed in the receiving waters or in a position likely to pollute water of the State?	Out of Compliance	see findings

Sediment Erosion

Permit / Approval Numbers: N/A

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Visual Observation

Delivery Method: Email

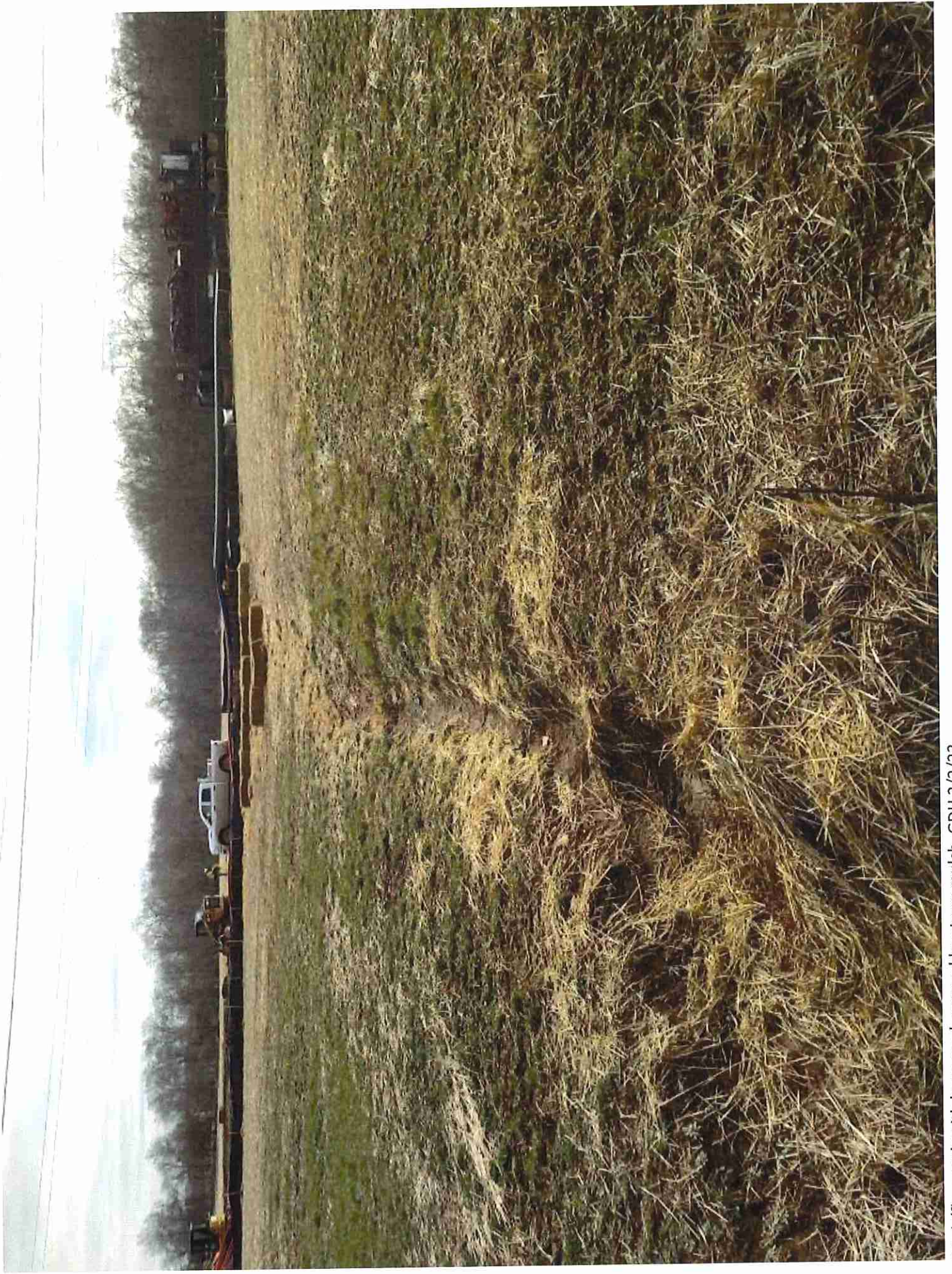
Inspection Findings: See findings in the NPDES Construction Activity section.

Sediment Erosion - Inspection Checklist

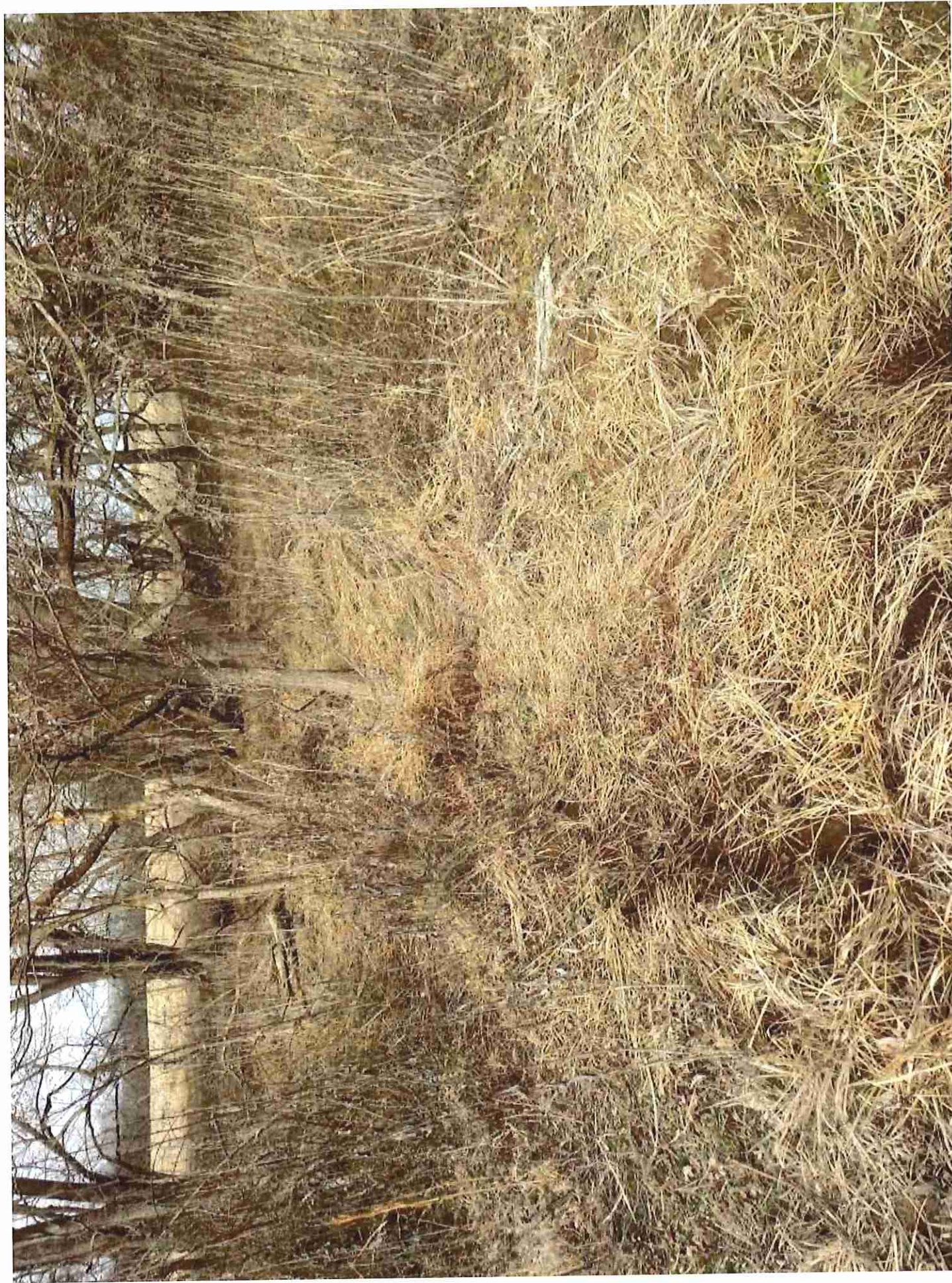
Inspection Item	Status	Comments
Under Section 4-105(a)(3)(v) of the Environmental Article, Annotated Code of Maryland, Implements any sediment control measures reasonably necessary to control sediment runoff.	Out of Compliance	see findings
Under Section 4-413(a) of the Environment Article, Annotated Code of Maryland except as authorized by a permit issued under Section 9-323 if the Article, it is unlawful for any person to add, introduce, leak, spill or otherwise emit soil or sediment into	Out of Compliance	see findings

Inspection Date: February 03, 2023
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

Inspector: _____ Received by: _____
Gregory Hazzard /Date _____ Signature/Date _____
gregory.hazzard@maryland.gov _____
301-665-2850 _____
Print Name _____



Ditch/flow path with bore mud covered by straw mulch. GDH 2/2/23.



Straw covered ditch/flow path of mud passing into the woods and stream to the west. GDH 2/2/23.



Entry point of bore mud flow into the waterway. GDH 2/2/23.



Bore mud deposit in the stream. GDH 2/2/23.



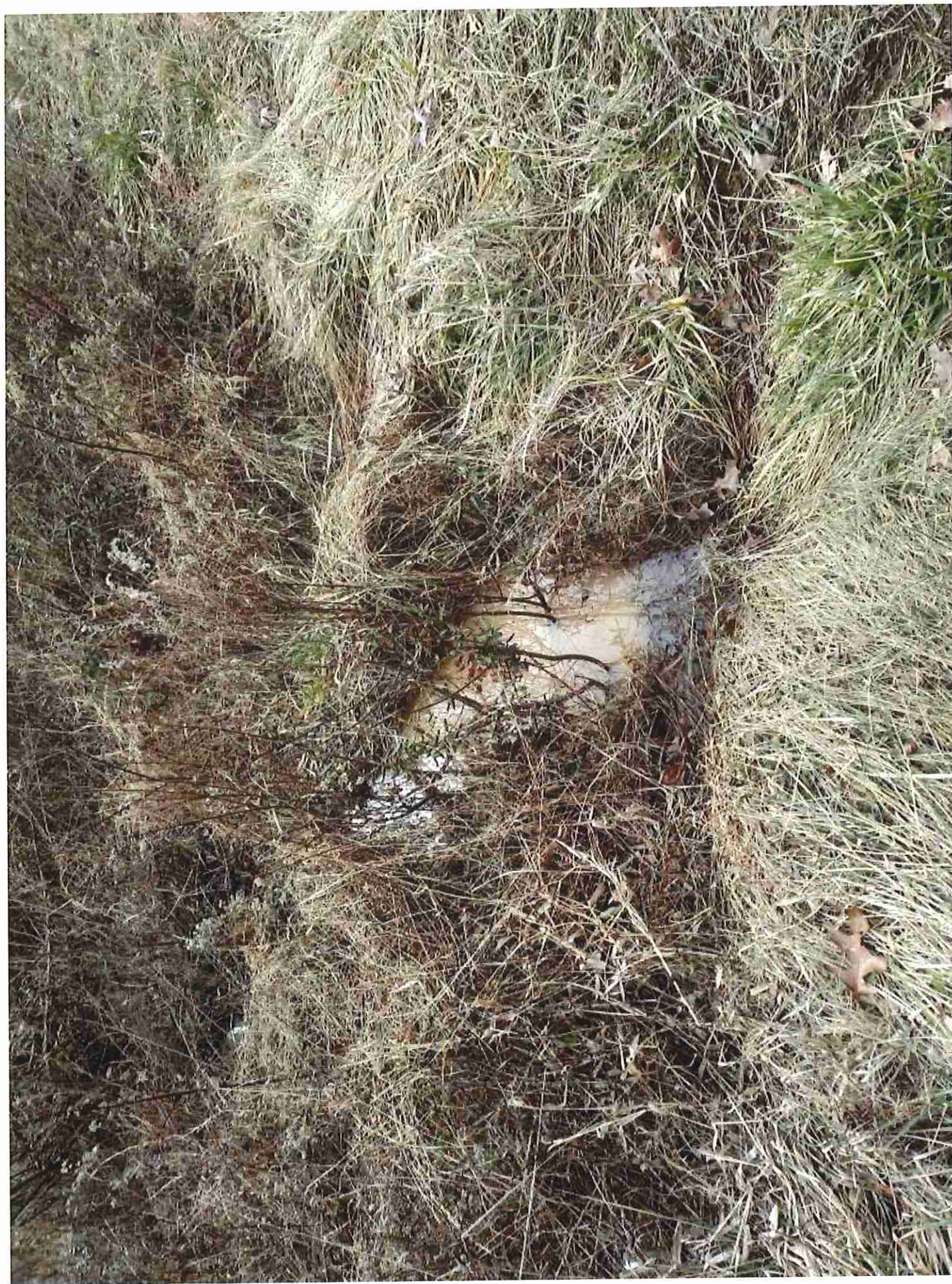
Bore mud deposit in the stream. GDH 2/2/23.



Straw mulch and straw bale cover over bore mud deposit in field outside silt fence. GDH 2/2/23.



SCE is clogged with sediment, has not been maintained. 2/2/23.



Sediment in the stream for the northern stream crossing in the active section of segment 4. GDH 2/2/23.



Confluence of stream from northern crossing with the unnamed tributary of the C&O Canal. GDH 2/2/23.



Turbidity in the impacted stream leading to the confluence. GDH 2/2/23.



Maryland Department of Environment

Water and Science Administration

Compliance Program

1800 Washington Blvd, Suite 420

Baltimore, MD 21230-1719

410- 537-3510, 1-800-633-6101

Inspector: Gregory Hazzard
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Montgomery County
Start Date/Time: February 06, 2023 10:00 AM
End Date /Time: February 06, 2023 12:40 PM
Media Type(s): Nontidal Wetlands, Sediment_Erosion, Waterway Construction, NPDES Construction Activity
Contact(s): Troy Harward, Wetlands S.S.I.
Jon Nishwitz, Telcon Services

Nontidal Wetlands

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: No additional impacts to nontidal wetlands, their buffers, or 100-year floodplain has occurred since the January 30, 2023 MDE Inspection. The site remains in violation of Title 5 due to the impacts associated with the current and former bore mud clean up operations that have not been added to the NT authorization. MDE recommends that QLoop provide an after-the-fact modification to the NT authorization to account for all former and current impacts outside of original project LODs associated with the mud releases and their subsequent clean up operations.

Sediment Erosion

Permit / Approval Numbers: N/A

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: See findings in the NPDES Construction Activity Section.

Sediment_Erosion - Inspection Checklist

Inspection Item	Status	Comments
Under Section 4-413(a) of the Environment Article, Annotated Code of Maryland except as authorized by a permit issued under Section 9-323 if the Article, it is unlawful for any person to add, introduce, leak, spill or otherwise emit soil or sediment into	Out of Compliance	see findings

Waterway Construction

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Inspection Date: February 06, 2023
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: Bore mud clean up from the unnamed tributary to the west of the segment 5 bore pit is complete. The sandbag diversion dams have been removed and the stream appears to have returned to ambient conditions.

The trench work in Segment 4 is underway in the Station 240-250 range. The stream crossing at approximately 247+50 is currently open trench work. The stream is turbid around the Pepco Access Road culvert downstream/to the East. This turbid stream does not appear to be causing a visual impact to the water quality of the C&O Canal tributary it flows into further East. The E&S plan does not call for any E&S controls in this location. MDE's evaluation of the stream determined it to be an intermittent waterway and has recommended that Qloop and its crews employ stream construction BMPs.

The site remains in violation of Title 5 due to the impacts associated with the current and former bore mud clean up operations that have not been added to the NT authorization. MDE recommends that QLoop provide an after-the-fact modification to the NT authorization to account for all former and current impacts outside of original project LODs associated with the mud releases and their subsequent clean up operations.

Waterway Construction - Inspection Checklist

Inspection Item	Status	Comments
Is the activity/construction occurring in accordance with the approved plan and permit conditions?	Out of Compliance	see findings

NPDES Construction Activity

Permit / Approval Numbers: MDRCY06G4

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: The NPDES inspections meet the permit conditions.

The project continues to gather its copies of stamped E&S plans for the NPDES file box onsite. Segment 4's stamped E&S plan were provided for review during inspection today.

The bore mud discharge cited in the 1/30/23 MDE report has been cleaned from the stream bed. The bore mud discharge in the vicinity of the Segment 5 bore pit LOD has not been removed and is currently covered over by straw mulch put down by PSC. Telcon stated that they will be removing the bore mud.

The Segment 4 stream crossing and active trenching through the stream were resulting in a turbid discharge to the intermittent waterway as noted in the Waterway Construction section of this report.

The site remains in violation of Titles 4 and 9 of the Annotated Code of Maryland, Environmental Article, due to the following:

1. Sediment pollution of an unnamed tributary to the C&O Canal, a Use I-P waterway.
2. Failure to have copies of all approval stamped E&S plans available as required by the NPDES permit.

Please note that violations of Titles 4, 5, and 9, may subject the responsible parties to possible penalties or other enforcement actions. MDE recommends the following corrective actions be taken immediately:

- A. Employ in-stream construction BMPs for trench work and traffic crossing at all intermittent and perineal streams, mapped or unmapped.
- B. Gather and maintain approved/stamped E&S plans for all segments in Maryland for the file box maintained onsite.

Inspection Date: February 06, 2023
 Site Name: QLoop LLC - Sage Fiber
 Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

- C. Provide an after-the-fact modification to the NT authorization to account for all former and current impacts (wetland, buffer, waterway, and 100-year floodplain) outside of original project LODs associated with the mud releases, their subsequent clean up operations, and additional unforeseen/unmapped crossing and in-stream work.

NPDES Construction Activity - Inspection Checklist

Inspection Item	Status	Comments
Has the site designed, installed and maintained effective erosion controls and sediment controls to minimize the discharge of pollutants?	Out of Compliance	see findings
Are the required records available, including plans, copy of NOI, General Permit, permit coverage documentation, public posting of permit coverage, transfer of authorization documentation if applicable, inspection reports (weekly, post-rain event, after significant discharge of sediment) on the standard form or other form approved for use by Compliance Program?	Out of Compliance	see findings
Were visible pollutants observed in the receiving waters or in a position likely to pollute water of the State?	Out of Compliance	see findings

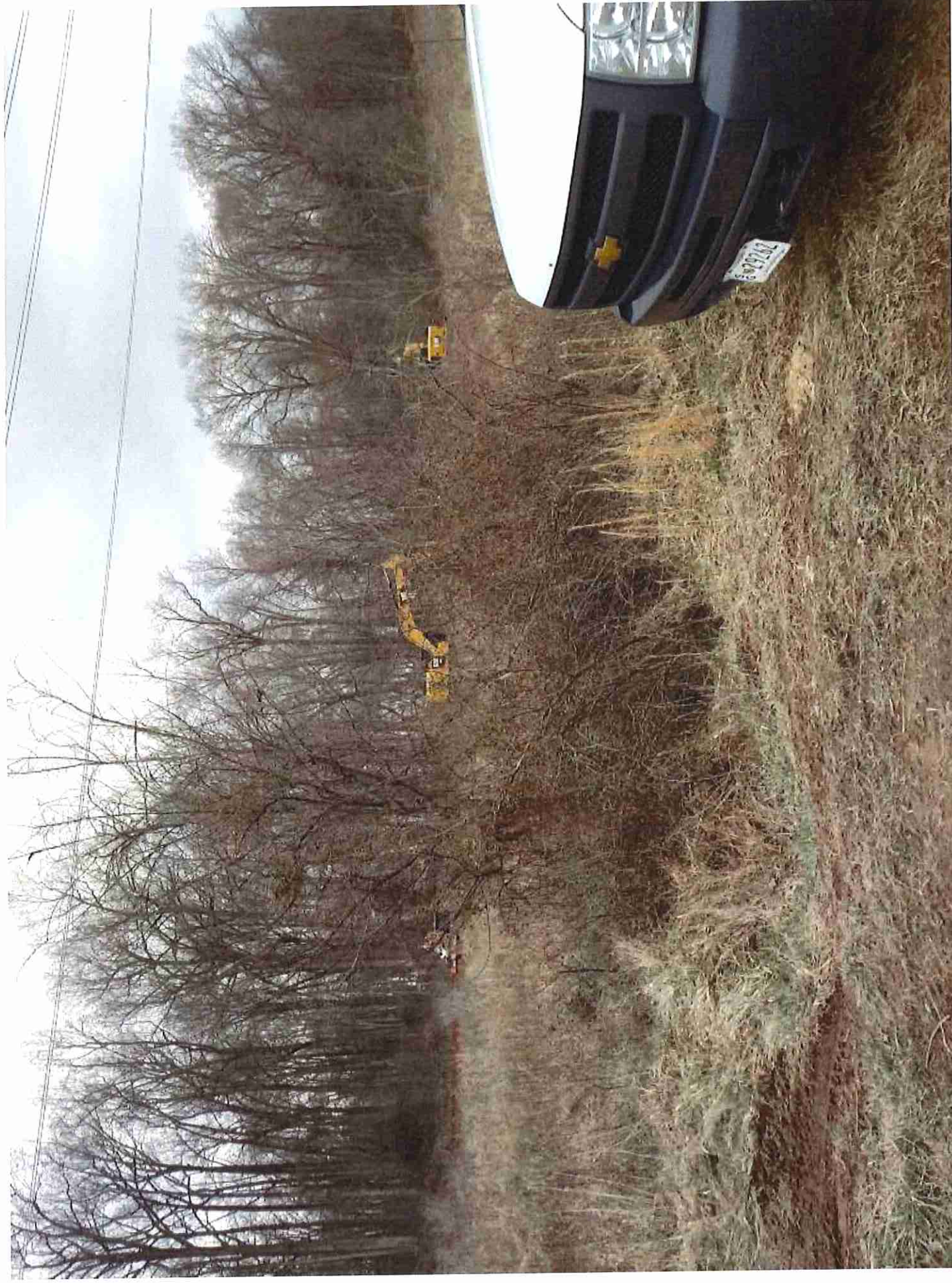
Inspector: _____
 Gregory Hazzard /Date
 gregory.hazzard@maryland.gov
 301-665-2850

Received by: _____
 Signature/Date

 Print Name



River Rd at Segment 4 and 5 entrances. GDH 2/6/23.



Segment 4 trench work occurring at stream crossing. GDH 2/6/23.



Turbid water at Pepco culvert downstream of work area. GDH 2/6/23.



Stream confluence to the East. GDH 2/6/23.



Maryland Department of Environment
Water and Science Administration
Compliance Program
1800 Washington Blvd, Suite 420
Baltimore, MD 21230-1719
410- 537-3510, 1-800-633-6101

Inspector: Kate Ansalvish
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Frederick County
Start Date/Time: February 22, 2023 12:30 PM
End Date /Time: February 22, 2023 01:30 PM
Media Type(s): NPDES Construction Activity, Nontidal Wetlands, Waterway Construction
Contact(s): Jeff Schamber: not onsite: telecon services

NPDES Construction Activity, Waterway, Non-tidal Wetlands

Permit / Approval Numbers: MDRCY06G4 & 21-NT-3181

Inspection Reason: Follow-up (Non-Compliance)

Site Status: Active

Compliance Status: Noncompliance

Site Condition: Noncompliance

Recommended Action: Additional Investigation Required

Evidence Collected: Visual Observation

Delivery Method: Email

Weather: Calm

Inspection Findings: Today's inspection focused on HDD activity at New Design Rd Potomac River crossing and the Mouth of Monocacy Rd, Monocacy River crossing.

Work is inactive at the Monocacy River, in adherence to the County Stop Work Order. Additionally, private access has been denied. Equipment and materials (including diesel fuel, bentonite, and additives) has been left in floodplain. Disturbed soils, adjacent to the gravel road and matting are temporarily stabilized in straw. As activity will not begin again until after June 15 and when Frederick County permits are obtained, the equipment and materials should be removed as soon as possible. The County has temporarily lifted the stop work order to allow for retrieval of equipment and materials with access following the existing Potomac Edison property.

The unauthorized 24" pipe should also be removed at this time unless authorization is received. MDE will facilitate coordination with DNR, if this occurs during the closure period. The stream closure begins March 1.

HDD is active at New Design Rd/ Potomac River. I was informed by the 3rd party inspector that the 24" bore was at approximately 1900' across the river. Sediment controls appear adequate. The unauthorized additional impact area has been included on a recent submission for modification. The submission does not show impacts to wetlands or buffer; this will be further evaluated by the permit reviewers.

This site is in violation of Environmental Article Titles 4, 5, and 9. The following violations corrective actions should be addressed:

- 1) Unauthorized pipe remains in the tributary to the Monocacy River // Remove pipe. Modification of 21-NT-3181 is needed to reinstall the pipe.
- 2) Unauthorized impacts to floodplain and wetlands/ buffer have occurred. MDE authorized a 30' LOD. Work measures up to 150' wide at segment 15 // LOD should return to 30' until authorization is received.
- 3) Active work area has expanded beyond the approved ESC plan, including new access routes and expansion of the bore pit area. County stop work order has been placed (not including segment 15 pit) until plans are approved // County and SCD plans should be modified to include access roads and any additional LOD required outside of the approved


Inspection Date: February 22, 2023
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

LOD. MDE plans should also be modified if impacted areas include natural resources. Restoration of any disturbance/construction outside of the approved plans will be needed.

4) Equipment and materials have been placed in the floodplain; work is inactive // remove equipment and materials. See authorization condition 12: Temporary Staging Areas: Temporary construction trailers or structures, staging areas and stockpiles shall not be located within nontidal wetlands, nontidal wetlands buffers, or the 100-year floodplain unless specifically included on the Approved Plan

Please contact me upon implementation of the requested corrective actions reasonably necessary to bring the site into compliance. If you have any questions or need assistance please contact me at the email address listed below or at 443-829-9405.

Emailed to J. Schamber 2-27-23

Inspector:  2-27-23 Received by: _____
Kate Ansalvish /Date
kate.ansalvish1@maryland.gov
301-689-1480
Signature/Date

Print Name



Maryland Department of Environment
Water and Science Administration
Compliance Program
1800 Washington Blvd, Suite 420
Baltimore, MD 21230-1719
410- 537-3510, 1-800-633-6101

Inspector: Gregory Hazzard
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Montgomery County
Start Date/Time: April 17, 2023 12:30 PM
End Date /Time: April 17, 2023 02:30 PM
Media Type(s): NPDES Construction Activity, Sediment_Erosion, Nontidal Wetlands, Waterway Construction
Contact(s): Troy Harward, Site Inspector, WSSI

NPDES Construction Activity

Permit / Approval Numbers: MDRCY06G4

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: NPDES records met the permit conditions. For E&S control details see the Sediment Erosion section.

NPDES Construction Activity - Inspection Checklist

Inspection Item	Status	Comments
Has the site designed, installed and maintained effective erosion controls and sediment controls to minimize the discharge of pollutants?	Out of Compliance	see findings
Were visible pollutants observed in the receiving waters or in a position likely to pollute water of the State?	Out of Compliance	see findings

Sediment Erosion

Permit / Approval Numbers: N/A

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: The two stream crossings in segment 4 continue to not meet BMP standards or 2011 MDE standard spec. The southern crossing was flowing clear. The norther crossing while wet did not appear to be flowing. Turbid water was observed in the waterway downstream of the northern construction crossing.

The site remains in violation of Titles 4 and 9 of the Annotated of Maryland, Environmental Article, due to the following:

1. Sediment pollution of waters of the State.
2. Failure to properly implement E&S controls as per 2011 MDE standard spec.

Inspection Date: April 17, 2023
 Site Name: QLoop LLC - Sage Fiber
 Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

Please note that violations of Titles 4 and 9 may subject the responsible parties to possible penalties or other enforcement actions. MDE recommends the following corrective actions be taken immediately:

- A. Extend the clear water diversion pipes for both crossing to the edges of the LOD so water does not flow through disturbed or denuded soils.
- B. Install upstream sandbag dikes around the pipes' intakes.
- C. Install clear water diversion pipe through silt fence as per the design spec previously provided to Telcon in February 2023.

Sediment_Erosion - Inspection Checklist

Inspection Item	Status	Comments
Under Section 4-413(a) of the Environment Article, Annotated Code of Maryland except as authorized by a permit issued under Section 9-323 if the Article, it is unlawful for any person to add, introduce, leak, spill or otherwise emit soil or sediment into	Out of Compliance	see findings

Nontidal Wetlands

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: No additional impacts to nontidal wetlands, their buffers, or 100-year floodplain have occurred in Segments 4 and 5 since the February 2023 MDE Inspection. The site remains in violation of Title 5 due to the impacts associated with former bore mud clean up operations that have not been added to the NT authorization. MDE recommends that QLoop provide an after-the-fact modification to the NT authorization to account for all former and current impacts outside of original project LODs associated with the mud releases and their subsequent clean up operations.

Waterway Construction

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: The site remains in violation of Title 5 due to the impacts associated with the current and former bore mud clean up operations that have not been added to the NT authorization. MDE recommends that QLoop provide an after-the-fact modification to the NT authorization to account for all former and current impacts outside of original project LODs associated with the mud releases and their subsequent clean up operations.

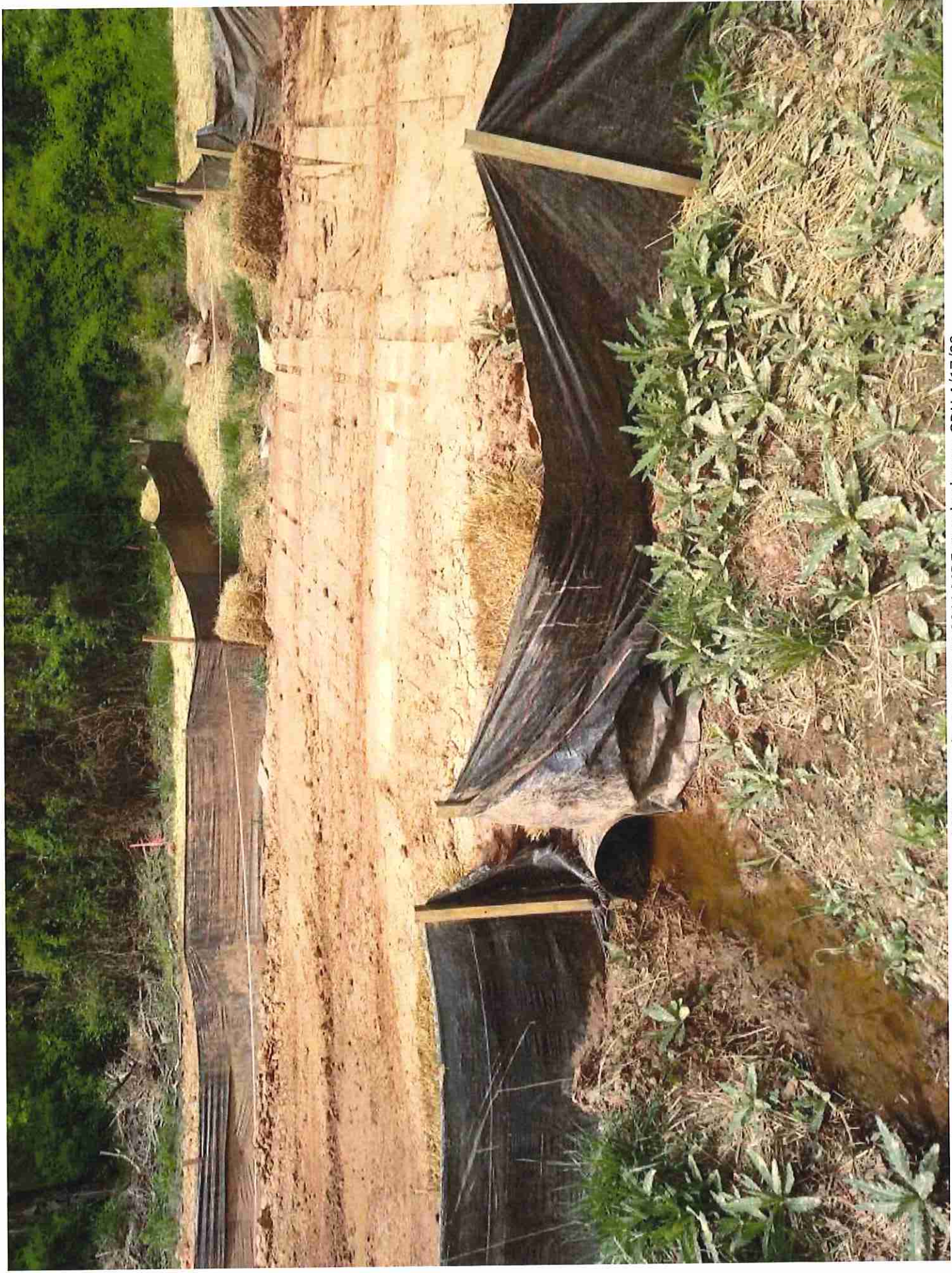
Waterway Construction - Inspection Checklist

Inspection Item	Status	Comments
Is the activity/construction occurring in accordance with the approved plan and permit conditions?	Out of Compliance	see findings

Inspector: _____
 Gregory Hazzard /Date
 gregory.hazzard@maryland.gov
 301-665-2850

Received by: _____
 Signature/Date

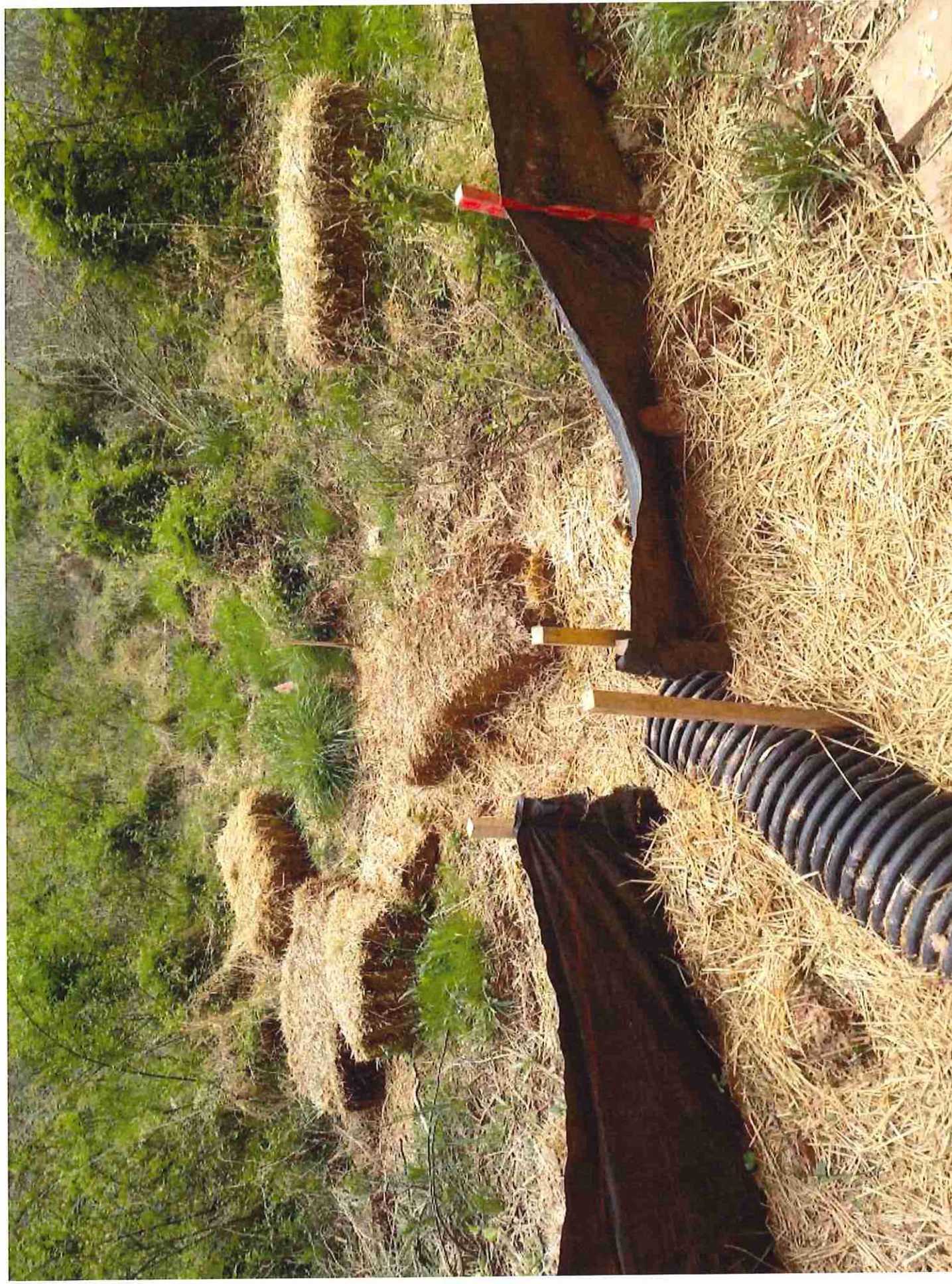
 Print Name



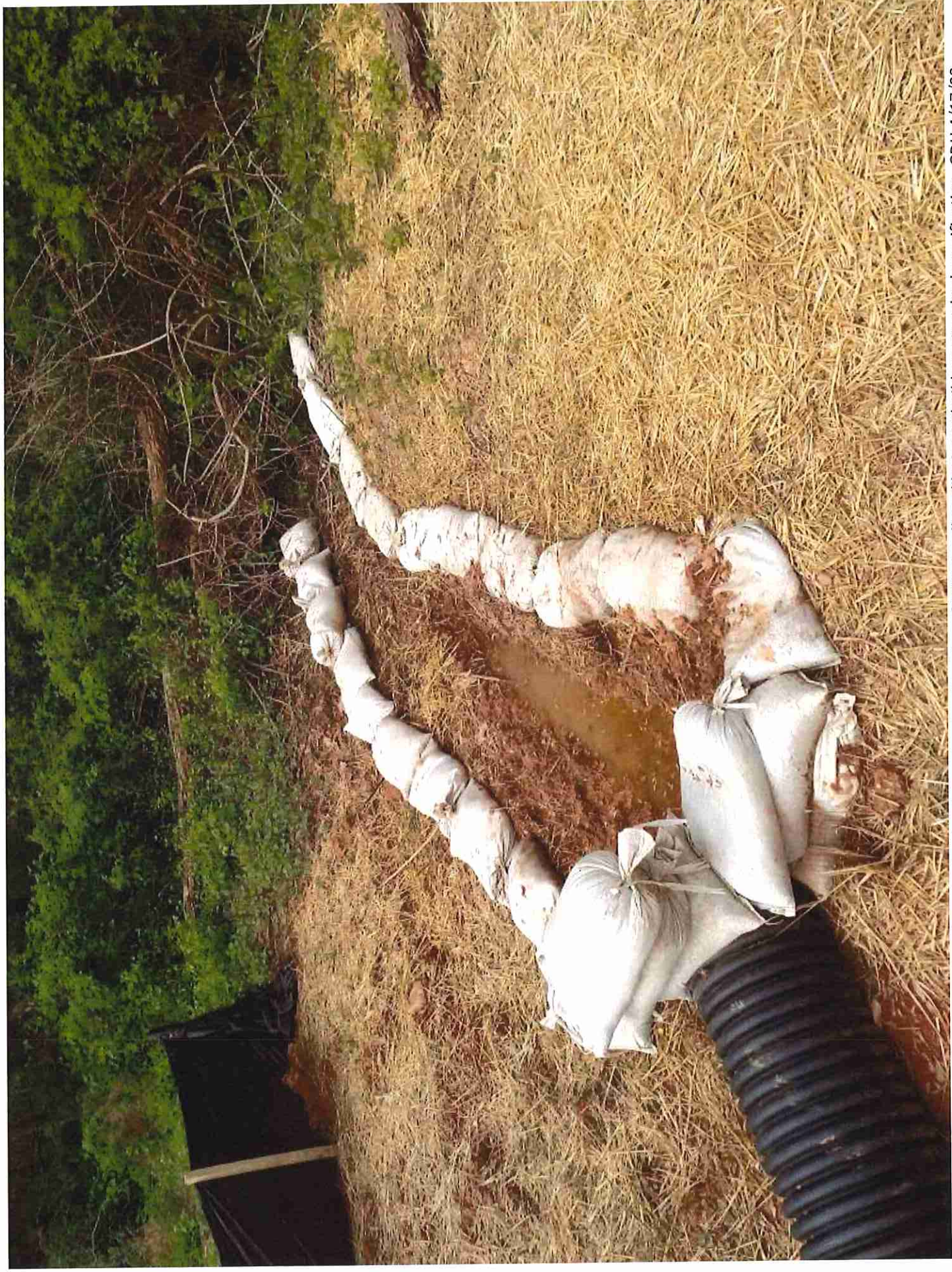
Segment 4, southern stream crossing. Diversion pipe and E&S controls not setup to 2011 MDE standard spec. GDH 4/17/23.



Clearwater diversion pipe of southern crossing does not extend to edge of LOD. GDH 4/17/23.



Northern stream crossing, straw bales placed in the stream channel. Clear water diversion pipe not setup to 2011 MDE standard spec. GDH 4/17/23.



Northern stream crossing clear water diversion pipe intake does not extend to edge of LOD. Sandbag dike is not build per standard specification. GDH 4/17/23.



Clear water diversion pipe taking in turbid water flowing through formerly excavated ground. GDH 4/17/23.



Turbid water in waterway, downstream of northern stream crossing. GDH 4/17/23.



Maryland Department of Environment

Water and Science Administration
Compliance Program
1800 Washington Blvd, Suite 420
Baltimore, MD 21230-1719
410- 537-3510, 1-800-633-6101

Inspector: Kate Ansalvish
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653 Segment 16 precon
County: Frederick County
Start Date/Time: April 13, 2023 11:00am
End Date /Time: April 13, 2023 12:00pm
Media Type(s): NPDES Construction Activity, Waterway Construction
Contact(s): Jeff Schamber: Telcon

NPDES Construction Activity & Waterway Construction

Permit / Approval Numbers: MDRCY06G4

Inspection Reason: Pre-Construction, Routine Scheduled

Compliance Status: Noncompliance

Recommended Action: Additional Investigation Required

Evidence Collected: visual

Delivery Method: email: to Jeff Schamber 5/1/23

Weather: Calm

Inspection Findings: Today's preconstruction meeting for segment 16 occurred with Doug Cochran (Frederick County) Mr. Schamber, Telcon, Primoras. A section of this segment will utilize an existing residential driveway for access. Any improvements to the driveway and access path past the driveway should be shown on an ESC plan; redlines should be provided to the County and SCD. The NPDES permit should be updated if acreage is increased. Streams will be spanned with crane mats. No impacts to streams will occur. Mats should be used if access passes through wetland areas.

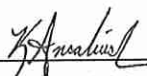
NPDES self-inspections should expand to include segment 16.

The following ongoing violations// corrective actions apply to Segments 2 and 15 as per the 3/16/ 23 MDE report:

- 1) Unauthorized 24" pipe remains in the tributary to the Monocacy River // Remove unauthorized pipe. Provide notice. A waiver is being processed to allow for the removal during the closure. Sandbags and pump around should be installed for removal. Modification of 21-NT-3181 is needed to reinstall a pipe.
- 2) Unauthorized impacts to floodplain and wetlands/ buffer have occurred. MDE authorized a 30' LOD. Work measures up to 150' wide at segment 15 // LOD should return to 30' until authorization is received.
- 3) Active work area has expanded beyond the approved ESC plan, including new access routes and expansion of the bore pit area // County and SCD plans should be modified to the total limits of disturbance. Restoration of any disturbance/construction outside of the approved plans will be needed.
- 4) Equipment and materials have been placed in the floodplain; work is inactive // Remove equipment and materials immediately. See authorization condition 12: Temporary Staging Areas: Temporary construction trailers or structures, staging areas and stockpiles shall not be located within nontidal wetlands, nontidal wetlands buffers, or the 100-year floodplain unless specifically included on the Approved Plan

I was advised while onsite that appropriation permits were obtained to pull water from the Monocacy and the Potomac. Access to the Monocacy should be provided. An agreement with the Mouth of Monocacy Landowners has not yet been obtained.

Inspection Date: April 13, 2023
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

Inspector:  4-30-23 Received by: _____
Kate Ansalvish /Date
kate.ansalvish1@maryland.gov
301-689-1480
Signature/Date

Print Name



Maryland Department of Environment

Water and Science Administration

Compliance Program

1800 Washington Blvd, Suite 420

Baltimore, MD 21230-1719

410- 537-3510, 1-800-633-6101

Inspector: Kate Ansalvish
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Montgomery County
Start Date/Time: May 17, 2023 12:00 PM
End Date /Time: May 17, 2023 02:00 PM
Media Type(s): NPDES Construction Activity, Waterway Construction
Contact(s): Troy Harward (WSSI)
Joshua (Telcon)

NPDES Construction Activity & Waterway Construction

Permit / Approval Numbers: MDRCY06G4 & 21-NT-3181

Inspection Reason: Follow-up (Non-Compliance)

Site Status: Active

Compliance Status: Noncompliance

Site Condition: Noncompliance

Recommended Action: Close File

Evidence Collected: Visual Observation

Delivery Method: Email to Jeff Schamber, Troy Harward, and Matt Elliot

Weather: Calm

Inspection Findings: Today's site inspection focused on segment 15. Work is active outside of the floodplain and accessed via farm lane off 28/Tuscarora Rd. This area was found to be in satisfactory condition.

On New Design Rd, the boring and pull through has been completed. Restoration of this area is needed. Modification to the authorization has been received to address the LOD increase at both boring locations.

Since this inspection the disturbed area has been seeded and strawed. SF remains in place. When work resumes, SF should be relocated to meet the easement width as shown on the approved ESC plan and approved MDE plans.

NPDES self-inspection reports are available onsite and found to be adequate. I advised that self-inspections should include observation of equipment and materials within the Monocacy floodplain, segment 2.

Work remains inactive at the Monocacy floodplain. On 6/13/23, Telcon notified MDE that they reached agreement with landowners and will mobilize to remove material and equipment from the floodplain. I informed telcon via email on 6/14/23 that a diversion and pump around should be used for culvert removal and any disturbed soils stabilized with seed and straw. Type D matting should be used on disturbed stream banks. Landowners are allowing 15 days for this work to occur.


This site remains in violation of Environmental Article Titles 4, 5, and 9. STATE LAW PROVIDES FOR PENALTIES FOR VIOLATIONS OF MARYLAND ENVIRONMENT ARTICLE TITLE (S FOR EACH DAY THE VIOLATION CONTINUES The following violations corrective actions should be addressed:

- 1) Unauthorized 24" pipe remains in the tributary to the Monocacy River // Sandbags and pump around should be installed for removal. Stream banks should be stabilized with seed and Type D matting.
- 2) Active work area has expanded beyond the approved ESC plan and waterway/wetland approval, including new access routes and expansion of the bore pit area // County, State, and SCD plans should be modified to the total limits of disturbance. Restoration of any disturbance/construction outside of the approved plans will be needed.

Inspection Date: May 17, 2023
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

- 3) Equipment and materials have been placed in the floodplain; work is inactive // Remove equipment and materials immediately.
- 4) Unapproved boring additives are present onsite // A list of additives and SDSs have been submitted for approval on 6/15/23. No further action is needed at this time.

Please contact me upon implementation of the requested corrective actions reasonably necessary to bring the site into compliance. If you have any questions or need assistance please contact me at the email address listed below or at 443- 829-9405.

Inspector:  6-15-23 Received by: _____
Kate Ansalvish /Date
kate.ansalvish1@maryland.gov
301-689-1480
Signature/Date

Print Name



Maryland Department of Environment

Water and Science Administration

Compliance Program

1800 Washington Blvd, Suite 420

Baltimore, MD 21230-1719

410- 537-3510, 1-800-633-6101

Inspector: Kate Ansalvish
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Frederick County
Start Date/Time: March 16, 2023 10:30 AM
End Date /Time: March 16, 2023 12:30 PM
Media Type(s): Waterway Construction, NPDES Construction Activity, Sediment_Erosion
Contact(s): Not onsite: Jeff Schamber: Telcon project manager

Waterway Construction, NPDES Construction, & Sediment/Erosion

Permit / Approval Numbers: 21-NT-3181, MDRCY06G4

Inspection Reason: Follow-up (Non-Compliance)

Site Status: Active

Compliance Status: Noncompliance

Site Condition: Noncompliance

Recommended Action: Additional Investigation Required

Evidence Collected: Visual Observation

Delivery Method: Email

Weather: Calm

Inspection Findings: Today's inspection included Segments 2 and 15 within Frederick County. Site work remains in active at the Monocacy Crossing. Work was active at the Potomac Crossing.

A waiver request is being processed to allow Potomac crossing work to occur through March 31st. I was informed by the Flat Iron Drilling operator that work is intended to be continuous (24/7) and completed before the end of the month. The monitoring plan should be adjusted to include how monitoring will occur over night. We further discussed progress to date; 36" bore was currently at 217ft. I was further informed that issues had occurred that resulted in delayed progress and the loss of returns. No surface frac-out was reported.

Sediment controls were observed to be in satisfactory condition. However, the LOD still exceeds the LOD authorized by the MDE authorization and the local ESC plan.

Work remains inactive at the Monocacy Crossing. Via email on February 25 the County agreed to "temporarily remove the Stop-Work-Order to allow for a roadway to be installed in order to remove all the hazardous materials and equipment from the floodplain." This has not occurred. The unapproved access remains in place and property owners have restricted access. The following materials remain, unattended, in the floodplain:

2-500-gal fuel tanks with 800 gals remaining; DD 440 American Auger w/150 gals of fuel; Tulsa Rig Irion cleaner w/150 gals of fuel; Two excavator's w/300 gals of fuel; Wheel loader w/80 gals of fuel; Heater w/50 gals of fuel Air compressor w/20 gals of fuel; Fusion equipment w/30 gals of fuel; 15 pallets of bentonite; and 10 pallets of additives.


The unauthorized 24" culvert also remains in place. Formal modification paperwork has not been received by MDE. Additionally, it was observed that additives stored onsite do not match those approved by MDE.

This site remains in violation of Environmental Article Titles 4, 5, and 9. STATE LAW PROVIDES FOR PENALTIES FOR VIOLATIONS OF MARYLAND ENVIRONMENT ARTICLE TITLE (S FOR EACH DAY THE VIOLATION CONTINUES The following violations corrective actions should be addressed:

Inspection Date: March 16, 2023
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

- 1) Unauthorized 24" pipe remains in the tributary to the Monocacy River // **Remove pipe by April 14th**. A waiver is being processed to allow for the removal during the closure. Sandbags and pump around should be installed for removal. Modification of 21-NT-3181 is needed to reinstall the pipe.
- 2) Unauthorized impacts to floodplain and wetlands/ buffer have occurred. MDE authorized a 30' LOD. Work measures up to 150' wide at segment 15 // LOD should return to 30' until authorization is received.
- 3) Active work area has expanded beyond the approved ESC plan, including new access routes and expansion of the bore pit area // County and SCD plans should be modified to the total limits of disturbance. Restoration of any disturbance/construction outside of the approved plans will be needed.
- 4) Equipment and materials have been placed in the floodplain; work is inactive // **Remove equipment and materials immediately**. See authorization condition 12: Temporary Staging Areas: Temporary construction trailers or structures, staging areas and stockpiles shall not be located within nontidal wetlands, nontidal wetlands buffers, or the 100-year floodplain unless specifically included on the Approved Plan
- 5) Unapproved boring additives are present onsite (Monocacy products include Polyselect Power Pac (Halliburton) Polyswell, AMC Plug) // Submit list of additive and SDS to MDE for approval prior to use
- 6) Loss of returns was reported by the operator // Provide timeline and locations corresponding to loss in drilling returns. Verify the occurrence and frequency of surface water monitoring during the period of return loss.
- 7) Materials and Equipment listed in the Frac-out contingency plan were not observed onsite // Verify these materials are available onsite.
- 8) Overnight activity is not included in Frac-out monitoring plan // Explain how overnight activity will be monitored.

Please contact me upon implementation of the requested corrective actions reasonably necessary to bring the site into compliance. If you have any questions or need assistance please contact me at the email address listed below or at 443-829-9405.

Inspector:  3-23-23 Received by: _____
Kate Ansalvish /Date
kate.ansalvish1@maryland.gov Signature/Date
301-689-1480
Print Name

Emailed to J. Schamber, R. Paul-Hus



Maryland Department of Environment

Water and Science Administration

Compliance Program

1800 Washington Blvd, Suite 420

Baltimore, MD 21230-1719

410- 537-3510, 1-800-633-6101

Inspector: Gregory Hazzard
AI ID: 172623
Site Name: QLoop LLC - Sage Fiber
Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842
County: Montgomery County
Start Date/Time: February 02, 2023 11:00 AM
End Date /Time: February 02, 2023 12:40 PM
Media Type(s): Waterway Construction, NPDES Construction Activity, Nontidal Wetlands, Sediment_Erosion
Contact(s): Troy Harward, Environmental Inspector, Wetlands SSI

Waterway Construction

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: Site conditions have not changed since the January 30, 2023 MDE inspection. The site remains in violation.

Waterway Construction - Inspection Checklist

Inspection Item	Status	Comments
Is the activity/construction occurring in accordance with the approved plan and permit conditions?	Out of Compliance	see findings

NPDES Construction Activity

Permit / Approval Numbers: MDRCY06G4

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: Site conditions and records have not changed since the January 30, 2023 MDE inspection. The site remains in violation.

NPDES Construction Activity - Inspection Checklist

Inspection Item	Status	Comments
Has the site designed, installed and maintained effective erosion controls and sediment controls to minimize the discharge of pollutants?	Out of Compliance	see findings
Are the required records available, including plans, copy of NOI, General Permit, permit coverage documentation, public posting of permit coverage, transfer of authorization documentation if applicable, inspection reports (weekly, post-rain event, after	Out of Compliance	see findings

Inspection Date: February 02, 2023
 Site Name: QLoop LLC - Sage Fiber
 Facility Address: Potomac Edison Row, 39.249374 -77.483653, Fisher Avenue, Poolesville, MD 20842

NPDES Construction Activity - Inspection Checklist

Inspection Item	Status	Comments
significant discharge of sediment) on the standard form or other form approved for use by Compliance Program?		
Is the site in compliance with the prohibition against non-stormwater discharges (including concrete washout), and is the discharge of other pollutants minimized (such as wash waters, chemical spills, and trash)?	Out of Compliance	see findings
Were visible pollutants observed in the receiving waters or in a position likely to pollute water of the State?	Out of Compliance	see findings

Nontidal Wetlands

Permit / Approval Numbers: 21-NT-3181

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: Site conditions have not changed since the January 30, 2023 MDE inspection. The site remains in violation.

Sediment Erosion

Permit / Approval Numbers: N/A

NPDES Numbers: N/A

Inspection Reason: Violation Follow-up

Site Status: Active

Compliance Status: Noncompliance

Recommended Action: Continue Routine Inspection

Evidence Collected: Photos or Videos Taken, Record Review, Visual Observation

Inspection Findings: Site conditions have not changed since the January 30, 2023 MDE inspection. The site remains in violation.

Sediment_Erosion - Inspection Checklist

Inspection Item	Status	Comments
Under Section 4-413(a) of the Environment Article, Annotated Code of Maryland except as authorized by a permit issued under Section 9-323 if the Article, it is unlawful for any person to add, introduce, leak, spill or otherwise emit soil or sediment into	Out of Compliance	see findings

Inspector: _____ Received by: _____
 Gregory Hazzard /Date _____ Signature/Date _____
 gregory.hazzard@maryland.gov _____
 301-665-2850 _____

 Print Name